SENATE

TUESDAY, FEBRUARY 1, 1955

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of all mercies, in anxious and uncertain hours we turn to Thee with deep needs that only Thou canst meet. Save us, we pray Thee, from the supreme hypocrisy of making this holy moment of communion with the unseen and eternal but a conventional gesture of unfelt piety. At this high altar of the national life, preserve us from praying with our lips only, and not with our hearts and minds.

As we come in a high hour of human destiny, solemnized by the tangled tragedy in which all human life is caught, help us in these trying days to rise above all that is base and small, to work together in glad and eager harmony for the honor and welfare of our Nation and of all the peoples of this stricken earth who unite in mutual good will, determined to open the gates of a new life for all mankind. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. CLEMENTS, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 28, 1955, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. LEHMAN was excused from attendance on the session of the Senate this afternoon after 3 o'clock p. m.

HEALTH INSURANCE — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 81)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, relating to proposed health insurance, which was referred to the Committee on Labor and Public Welfare.

(For message from the President, see House proceedings of January 31, 1955, pp. 996–997, CONGRESSIONAL RECORD.)

ENROLLED JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Pursuant to the order of the Senate of January 28, 1955,

The VICE PRESIDENT, on January 28, 1955, signed the enrolled joint resolution (H. J. Res. 159) authorizing the President to employ the Armed Forces of the United States for protecting the security of Formosa, the Pescadores, and related positions and territories of that area, which had previously been signed by the Speaker of the House of Representatives.

LIMITATION OF DEBATE DURING MORNING BUSINESS

Mr. CLEMENTS. Mr. President, under the rule, there will be a morning hour for the presentation of petitions and memorials, the introduction of bills, and other routine business, and I ask unanimous consent that statements in connection therewith be limited to 2 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CLEMENTS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

INCREASED PAYMENT UNDER SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 8 (e) of the Soil Conservation and Domestic Allotment Act (with an accompanying paper); to the Committee on Agriculture and Forestry.

ALLOCATION OF FUNDS AVAILABLE TO DEPARTMENT OF JUSTICE

A letter from the Attorney General, reporting, pursuant to law, on the allocation of all funds available to the Department of Justice; to the Committee on Appropriations.

REPORT OF OPERATIONS OF BUREAU OF THE BUDGET ON CIRCULAR NO. A–45

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the operations of Circular No. A–45 of that Bureau, on departments, agencies, and corporations of the Government (with an accompanying report); to the Committee on Appropriations.

REPORT OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners of the District of Columbia, transmitting, pursuant to law, a report of the government of the District for the year ended June 30, 1954 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

A letter from the president, Potomac Electric Power Co., Washington, D. C., transmitting, pursuant to law, a report of that company for the year ended December 31, 1954 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF CAPITAL TRANSIT CO.

A letter from the president, Capital Transit Co., Washington, D. C., transmitting, pursuant to law, a report of that company, together with a balance sheet, as of December 31, 1954 (with accompanying papers); to the Committee on the District of Columbia.

PARTICIPATION BY THE UNITED STATES IN WORLD HEALTH ORGANIZATION

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor (with an accompanying paper); to the Committee on Foreign Relations.

DISPOSAL OF NAVY EXCESS PROPERTY IN FOREIGN AREAS

A letter from the Assistant Secretary of the Navy, transmitting, pursuant to law, a report on the disposal of Navy excess property in foreign areas, for the calendar year 1954 (with an accompanying report); to the Committee on Government Operations.

REPORT ON ANTHRACITE RESEARCH LABORATORY, SCHUYLKILL HAVEN, PA.

A letter from the Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Bureau of Mines Anthracite Research Laboratory located at Schuylkill Haven, Pa., for the calendar year 1954; to the Committee on Interior and Insular Affairs.

REPORT ON LIGNITE RESEARCH LABORATORY, GRAND FORKS, N. DAK.

A letter from the Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Lignite Research Laboratory, Grand Forks, N. Dak., for the calendar year 1954; to the Committee on Interior and Insular Affairs.

DISTRIBUTION OF FUNDS BELONGING TO MEMBERS OF CREEK NATION OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the distribution of funds belonging to the members of the Creek Nation of Indians, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PUNISHMENT FOR CERTAIN CONFIDENCE GAME SWINDLES

A letter from the Attorney General, transmitting a draft of proposed legislation to provide punishment for certain confidence game swindles (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON TRANSACTIONS OF BANKRUPTCY COURTS

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, tables of bankruptcy statistics with reference to bankruptcy cases commenced and terminated in the United States district courts for the fiscal year ended June 30, 1954 (with an accompanying report); to the Committee on the Judiciary.

CLAIM OF ARKANSAS POWER & LIGHT CO., PINE BLUFF, ARK.

A letter from the Chairman, National Labor Relations Board, Washington, D. C., reporting, pursuant to law, a report of the payment of the claim of Arkansas Power & Light Co., Pine Bluff, Ark.; to the Committee on the Judiciary.

AMENDMENTS OF WATER POLLUTION CONTROL ACT

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and strengthen the Water Pollution Control Act (with accompanying papers); to the Committee on Public Works.

REPORT ON ACTIVITIES FOR RELOCATION AND CONSTRUCTION OF PUBLIC UTILITIES SERVICES RESULTING FROM HIGHWAY IMPROVEMENTS

A letter from the Acting Secretary of Commerce, reporting, pursuant to law, on studies made of the problems posed by relocation and reconstruction of public utilities services resulting from highway improvements, and of all phases of highway financing; to the Committee on Public Works.

IMPROVEMENT OF STATE AND LOCAL PROGRAMS TO COMBAT AND CONTROL JUVENILE DELINQUENCY

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve State and local programs to combat and control juvenile delinquency (with an accompanying paper); to the Committee on Labor and Public Welfare.

EXTENSION OF VOLUNTARY PREPAYMENT HEALTH SERVICES PLANS

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to improve the health of the people by encouraging the extension of voluntary prepayment health services plans, facilitating the financing of construction of needed health facilities, assisting in increasing the number of adequately trained nurses and other health personnel, improving and expanding programs of mental health and public health, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT OF UNITED STATES ATOMIC ENERGY COMMISSION

A letter from the members of the United States Atomic Energy Commission, transmitting, pursuant to law, the 17th Semiannual Report of that Commission, dated January 1955 (with an accompanying report); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value of historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

The petition of Adriano H. Aro, of Manila, P. I., relating to certain claims of persons against the United States who acted as guerrillas in World War II; to the Committee on Armed Services.

A resolution adopted by the house of delegates of the American Dental Association, Nashville, Tenn., favoring additional appropriations to support the World Health Organization; to the Committee on Foreign Relations.

A resolution adopted by the council of the city of Philadelphia, Pa., favoring the enactment of legislation to provide for the deepening of the Delaware River at Federal expense; to the Committee on Public Works.

By Mr. LANGER:

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Agriculture and Forestry:

"Senate Concurrent Resolution D

"Concurrent resolution requesting the Secretary of Agriculture of the United States to suspend acreage controls on durum wheat during 1955

"Whereas North Dakota produces approximately 85 percent of all durum wheat grown in the United States, and the Legislature of the State of North Dakota is vitally interested in the production of this crop; and

"Whereas approximately 85 percent of the durum crop planted in North Dakota during the 1954 crop season was lost due to rust, making the year 1954 the third consecutive year in which the production of durum wheat was far below normal and below the needs of the United States; and

"Whereas because durum wheat is far superior to other grain in the manufacture of macaroni products, the shortage of durum wheat has handicapped the entire macaroni industry: Now, therefore, be it

"Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein), That the Secretary of Agriculture of the United States is hereby urged and requested to suspend acreage controls upon the planting and raising of durum wheat during the year 1955, and that permission be granted to plant and raise durum wheat upon any acreage displaced from production by acreage controls upon other grain; and be it further

"Resolved, That the secretary of the senate forward copies of this resolution to the Secretary of Agriculture of the United States, to the North Dakota congressional delegation, and to the chairman of the respective Committees on Agriculture of the United States Senate and House of Representatives.

"C. R. DAHL,
"President of the Senate.
"EDWARD LENO,
"Secretary of the Senate.
"K. A. FITCH,
"Speaker of the House.
"KENNETH L. MORGAN,
"Chief Clerk of the House."

REPORT OF A COMMITTEE (S. REPT. NO. 25)

Mr. KEFAUVER. Mr. President, from the Committee on the Judiciary, I report favorably the bill (S. 462) to increase the salaries of justices and judges of United States courts, Members of Congress, and for other purposes, with an amendment in the nature of a substitute, and ask that permission be granted to file the written report on this bill at a later date.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. PAYNE (for himself and Mrs. SMITH of Maine):

S. 847. A bill to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PURTELL:

S. 848. A bill to amend the Public Health Service Act, as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PURTELL when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself and Mr. BRIDGES):

S. 849. A bill to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, and muscular dystrophy, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. KILGORE:

S. 850. A bill for the relief of Konstantinos Zaferatos; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 851. A bill to amend the Rural Electrification Act of 1936, as amended; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 852. A bill to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Fort Berthold Indian Reservation, the Turtle Mountain Indian Reservation, and the portion of Standing Rock Indian Reservation which is located within the boundaries of the State of North Dakota, and for other purposes; and

S. 853. A bill to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 854. A bill to amend section 32 of the Trading With the Enemy Act of 1917, as amended, so as to permit the return under such section of property which an alien acquired, by gift, devise, bequest, or inheritance from an American citizen; to the Committee on the Judiciary.

S. 855. A bill to amend the act of June 27, 1944, Public Law 359, and to preserve the equities of permanent classified civil-service employees of the United States; to the Committee on Post Office and Civil Service.

By Mr. BUTLER:

S. 856. A bill for the relief of Jose Leal;

S. 857. A bill for the relief of Edoardo Maria Filippo Baldassare Perrone di San Martino; and

S. 858. A bill for the relief of Ingeborg Elisabeth Alt; to the Committee on the Judiciary.

By Mr. WILLIAMS:

S. 859. A bill for the relief of Lidia I. Bongiovanni; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 860. A bill to amend section 2 of the Missing Persons Act, so as to provide that benefits thereunder shall be available to certain members of the Philippine Scouts; to the Committee on Armed Services.

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 861. A bill to direct the Secretary of the Army to convey certain lands and the improvements thereon to the county of Missoula, Mont.; to the Committee on Armed Services.

S. 862. A bill to provide for the issuance of a special postage stamp in honor of the late Charles Russell; to the Committee on Post Office and Civil Service.

By Mr. BARRETT (for himself, Mr. MALONE, Mr. BIBLE, Mr. DWORSHAK, Mr. ALLOTT, Mr. GOLDWATER, Mr. WELKER, and Mr. CURTIS):

S. 863. A bill to govern the control, appropriation, use, and distribution of water; to the Committee on Interior and Insular Affairs.

By Mr. KNOWLAND:

S. 864. A bill to provide for a new third division of the northern judicial district of California; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 865. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be reduced from 65 to 60; to the Committee on Finance.

S. 866. A bill for the relief of the South Carolina State Ports Authority; to the Committee on the Judiciary.

By Mr. MILLIKIN (for himself and Mr. ALLOTT):

S. 867. A bill for the relief of Jacod Grynberg; to the Committee on the Judiciary

By Mr. SALTONSTALL:

S. 868. A bill to declare the waterway (a section of the Acushnet River) north of the Coggeshall Street Bridge in Massachusetts a nonnavigable stream; to the Committee on Public Works.

S. 869 (by request). A bill for the relief of Mario Fernandes Mano; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. HOLLAND, Mr. EASTLAND, Mr. SCHOEPPEL, and Mr. ALLOTT):

S. 870. A bill to authorize the Secretary of Agriculture to continue to make certain emergency loans and to provide an improved emergency credit source for farmers and stockmen; to the Committee on Agriculture and Forestry.

By Mr. JACKSON:

S. 871. A bill for the relief of Dominic Gaetano Morin; and

S. 872. A bill for the relief of Sam Bergesen; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. RUSSELL):

S. 873. A bill to amend the Agricultural Act of 1949, as amended, so as to extend for 3 additional years the requirement that prices of basic agricultural commodities be supported at 90 percent of parity; to the Committee on Agriculture and Forestry.

By Mr. MUNDT (for himself and Mr. CASE of South Dakota):

S. 874. A bill to enable the State of South Dakota to enter into a modification of its agreement under section 218 of the Social Security Act which will enable the cities of Aberdeen and Sioux Falls to obtain old-age and survivors insurance coverage for their policemen and firemen; to the Committee on Finance.

By Mr. DWORSHAK:

S. 875. A bill for the relief of Angel Maria Olaeta Goitia; to the Committee on the Judiciary.

By Mr. RUSSELL:

S. 876. A bill to waive the provisions of section 513 of the National Housing Act with respect to the Waluhaje Apartments, Atlanta, Ga. (FHA project No. 061–42103); to the Committee on Banking and Currency.

By Mr. WATKINS:

S. 877. A bill to limit in certain cases the power of a single justice or judge of the United States to grant a stay of execution or sentence in connection with a habeas corpus proceeding or other proceeding collaterally attacking the conviction of any person; to the Committee on the Judiciary.

By Mr. WATKINS (for himself and Mr. BENNETT):

S. 878. A bill to amend the act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character; to the Committee on Interior and Insular Affairs.

By Mr. CAPEHART:

S. 879. A bill to amend the Securities Exchange Act of 1934 to increase public disclosure of security ownership; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART (for himself, Mr. BEALL, Mr. DOUGLAS, Mr. FULBRIGHT, Mr. PAYNE, Mr. SPARKMAN, and Mr. FREAR):

S. 880. A bill to provide for the control and regulation of bank holding companies and for other purposes; to the Committee on Banking and Currency.

By Mr. CARLSON (for himself, Mr. KNOWLAND, Mr. MILLIKIN, Mr. SALTONSTALL, Mr. MARTIN of Pennsylvania, Mr. WATKINS, Mr. BENNETT, Mr. BEALL, Mr. SMITH of New Jersey, Mr. JENNER, Mr. CAPEHART, Mr. SCHOEPPEL, Mr. BRICKER, Mr. BUTLER, Mr. DWORSHAK, Mr. DIRKSEN, Mr. POTTER, Mr. ALLOTT, Mr. BARRETT, and Mr. MARTIN of Iowa):

S. 881. A bill to readjust postal rates, establish a Commission on Postal Rates, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CARLSON when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 882. A bill to amend the rice-marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; and

S. 883. A bill to amend the rice-marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. SMITH of New Jersey:

S. 884. A bill for the relief of Gabor Lanyi; and

S. 885. A bill for the relief of Alice Elizabeth Marjoribanks; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. IVES, Mr. PURTELL, Mr. BENDER, Mr. ALLOTT, Mr. THYE, Mr. BUSH, Mr. SALTONSTALL, Mr. CASE of New Jersey, Mr. WATKINS, and Mr. DUFF):

S. 886. A bill to improve the health of the people by encouraging the extension of voluntary prepayment health services plans, facilitating the financing of construction of needed health facilities, assisting in increasing the number of adequately trained nurses and other health personnel, improving and expanding programs of mental health and public health, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MARTIN of Pennsylvania:

S. 887. A bill to amend section 120 of the Internal Revenue Code (relating to the unlimited deduction for charitable and other contributions); to the Committee on Finance.

S. 888. A bill to make temporary provision for the payment of taxes, or the making of payments in lieu of taxes, with respect to certain real estate held by Government corporations, or transferred by them to other Government agencies, and for other purposes; to the Committee on Government Operations.

By Mr. MARTIN of Pennsylvania (for himself, Mr. DUFF, Mr. SMITH of New Jersey, and Mr. CASE of New Jersey):

S. 889. A bill granting the consent of Congress to a supplemental compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes; to the Committee on Public Works.

By Mr. MARTIN of Pennsylvania (for himself, Mr. CHAVEZ, Mr. DUFF, Mr. KNOWLAND, and Mr. KUCHEL):

S. 890. A bill to extend and strengthen the Water Pollution Control Act; to the Committee on Public Works.

(See the remarks of Mr. MARTIN of Pennsylvania when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. MILLIKIN):

S. 891. A bill for the relief of Chokichi Iraha; and

S. 892. A bill for the relief of Jose Perez Gomez; to the Committee on the Judiciary.

By Mr. MCNAMARA:

S. 893. A bill for the relief of Dr. Klaus Hergt; to the Committee on the Judiciary.

By Mr. WILEY (for himself and Mr. THYE):

S. 894. A bill to strengthen and improve State and local programs to combat and control juvenile delinquency; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 895. A bill to amend the cotton marketing quota provisions of the Agricultural Adjustment Act of 1938, amended; to the Committee on Agriculture and Forestry.

By Mr. SPARKMAN:

S. 896. A bill to amend subparagraph (c), paragraph I, part I, of Veterans Regulation No. 1 (a), as amended, to establish a presumption of service connection for chronic and tropical diseases becoming manifest within 3 years from separation from service; to the Committee on Finance.

By Mr. BIBLE:

S. 897. A bill for the relief of Erich Anton Helfert; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself and Mr. MONRONEY):

S. 898. A bill to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY (for himself, Mr. IVES, Mr. LEHMAN, Mr. CASE of New Jersey, Mr. DOUGLAS, Mr. DUFF, Mr. KENNEDY, Mr. LANGER, Mr. MAGNUSON, Mr. MARTIN of Pennsylvania, Mr. MCNAMARA, Mr. PURTELL, Mr. MORSE, Mr. SALTONSTALL, Mr. MURRAY, Mr. SMITH of New Jersey, Mr. NEELY, and Mr. NEUBERGER):

S. 899. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. DOUGLAS, Mr. LEHMAN, Mr. MCNAMARA, Mr. LANGER, Mr. MAGNUSON, Mr. MORSE, Mr. MURRAY, Mr. NEELY, and Mr. NEUBERGER):

S. 900. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

S. 901. A bill outlawing the poll tax as a condition of voting in any primary or other election for national officers; to the Committee on Rules and Administration.

S. 902. A bill to reorganize the Department of Justice for the protection of civil rights;

S. 903. A bill to protect the right to political participation;

S. 904. A bill to strengthen the laws relating to convict labor, peonage, slavery, and involuntary servitude;

S. 905. A bill to amend and supplement existing civil-rights statutes;

S. 906. A bill to establish a Commission on Civil Rights in the Executive Branch of the Government; and

S. 907. A bill to protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HUMPHREY when he introduced the above bills, which appear under a separate heading.)

By Mr. LEHMAN (for Mr. MAGNUSON, himself, Mr. DOUGLAS, Mr. HUMPHREY, Mr. JACKSON, Mr. MCNAMARA, Mr. MORSE, Mr. MURRAY, Mr. NEELY, Mr. NEUBERGER, and Mr. PASTORE):

S. 908. A bill providing relief against certain forms of discrimination in interstate transportation; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. LEHMAN when he introduced the above bill, for Mr. MAGNUSON, which appear under a separate heading.)

Mr. BIBLE (for Mr. CHAVEZ):

S. 909. A bill for the relief of Elzie C. Brown; to the Committee on Labor and Public Welfare.

S. 910. A bill for the relief of Lino Perez Martinez; and

S. 911. A bill for the relief of Eftalia G. Stathis and Ariadni Vassiliki G. Stathis; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 912. A bill to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel; to the Committee on Post Office and Civil Service.

By Mr. WILEY:

S. J. Res. 34. Joint resolution to prepare triennially a cumulative supplement to the revised edition of the Annotated Constitution of the United States of America as published in 1953 as Senate Document No. 170 of the 82d Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. WILEY when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. LEHMAN:

S. J. Res. 35. Joint resolution making January 30 of each year a legal public holiday in commemoration of the birth of Franklin Delano Roosevelt; to the Committee on the Judiciary.

(See the remarks of Mr. LEHMAN when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. DWORSHAK, and Mr. MALONE):

S. J. Res. 36. Joint resolution for the preservation of Rock Creek Park; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above joint resolution, which appear under a separate heading.)

PUBLIC HEALTH SERVICE ACT

Mr. PURTELL. Mr. President, I introduce, for appropriate reference, a bill to amend the Public Health Service Act in order to place greater emphasis on solving the problems in the field of mental health. This bill would not add any general authority that does not now exist in the basic law. But, Mr. President, it would augment the present law by making clear that mental health projects, especially in basic mental health research, the training of professional personnel, and grants to the States for mental health purposes, are to be given special recognition for a reasonable period of time. I ask unanimous consent that the bill be printed in the RECORD following my remarks, together with a statement I made yesterday concerning the President's health message.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, together with the statement, will be printed in the RECORD.

The bill (S. 848) to amend the Public Health Service Act, as amended, introduced by Mr. Purtell, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "National Mental Health Act Amendments of 1955."

STATEMENT OF PURPOSES

SEC. 2. It is the purpose of this act to provide for surveys of mental illness and to develop more effective methods of measuring the extent of the mental health problem in the United States; to improve and assist in the coordination of public and private programs and activities for the prevention, control, and treatment of mental illness; and to stimulate the development of more effective public health services in the field of mental health, and improvements in the direction and administration of institutions for the mentally ill and in the treatment of the mentally ill.

SURVEYS, STUDIES, AND COORDINATION OF MENTAL HEALTH PROGRAMS

SEC. 3. Section 303 of the Public Health Service Act, as amended, is amended by adding at the end thereof the following:

"(c) (1) To make surveys and special studies of the population of the United States to determine the amount, distribution, economic impact, and other effects of mental illness, (2) to collect periodically data of national scope on the incidence, prevalence, and duration of disability for the major types of mental illness and psychiatric disorders, and (3) to study, through sample surveys and other appropriate means, and develop improved methods of measuring the extent of the problem of mental illness in the United States.

"(d) To promote and assist in the better coordination and integration of regional, interstate, State, and community mental health services and programs, and to participate in the planning and development of regional and interstate collaboration and cooperative projects and arrangements in the field of mental health, including joint planning for the joint use of highly trained or specialized personnel and interstate or regional use of highly trained or specialized personnel and interstate or regional use of physical facilities, including facilities for research and training.

"(e) To collect and maintain a central pool of information concerning the scientific, technical, organizational, operational, and other aspects and problems of public, private, regional, and interstate programs for the control, prevention, and treatment of mental illness, to disseminate such information (including the results of special projects supported by grants under section 314 (1)) by publication and other appropriate means, and to provide to responsible authorities and officers of public agencies and nonprofit private organizations technical advice and assistance in its practical application through consultation services, short-term loans of specialized personnel, and otherwise as appropriate."

APPROPRIATIONS FOR MENTAL PUBLIC HEALTH SERVICES

SEC. 4. Section 314 of such act, as amended, is amended by adding at the end of subsection (c) thereof a new sentence as follows: "For the 5-year period beginning with the fiscal year ending June 30, 1956, appropriations authorized by this subsection shall specify an amount to be determined by the Congress for the support of mental public health services, the total sum so specified to be available for allotment among the States in accordance with the provisions of subsection (d)."

SPECIAL GRANTS FOR MENTAL HEALTH PROJECTS

SEC. 5. (a) Section 314 of such act is further amended by adding at the end thereof a new subsection as follows:

"SPECIAL GRANTS FOR MENTAL HEALTH PROJECTS

"(1) There is authorized to be appropriated for the fiscal year ending June 30, 1956, and for each of the four succeeding fiscal years such sums as may be necessary to enable the Surgeon General to make grants to States and, with the approval of the State mental health authority, to interstate agencies or to political subdivisions of States for paying part of the cost of—

"(1) public health services in the field of mental health which are of importance for (A) the development of new techniques and better methods for the improvement of mental hygiene and the prevention of mental illness, (B) public education with respect to the causes of mental illness and methods of control and prevention, (C) the development of counseling and referral services to obtain full and effective use of community resources in the field of mental health, and (D) the development of prevention and control programs on an organized community-wide basis; and

"(2) demonstrations and experimental projects for (A) developing improved methods of care and treatment of the mentally ill, including grants to State agencies responsible for administration of State institutions for care, or for care, treatment and rehabilitation, of the mentally ill, (B) developing improved methods of operation and administration of such institutions, (C) reducing the length of institutional stay by improving or developing new methods for ambulatory care and for preparation for the return of the institutionalized patient to the life of the community, and (D) developing improvements in the design and equipment of physical facilities for institutional and ambulatory treatment of the mentally ill."

(b) Subsection (j) of such section is amended by inserting after "subsection (c)" wherever it appears the following: "or subsection (l)."

The statement presented by Mr. PURTELL is as follows:

STATEMENT BY SENATOR PURTELL

I am pleased that the President in his health message today is continuing along the lines set out in his health message last year in which he recommends Federal action designed to meet some of our most urgent requirements for improving the Nation's health.

The President fully recognizes in his proposals "the primacy of local and State responsibility for the health of the community."

President Eisenhower specifically outlined immediate needs in the area of improving voluntary insurance so that it will better meet the requirements of the people. He recommends providing more health facilities and more trained health personnel. From my experience as chairman of the Subcommittee on Health of the Senate Labor and Public Welfare Committee during the 83d Congress, it is evident to me that Federal, State, and local action is necessary and urgent if these health needs are to be met and if we are to accelerate our attack on solving these problems.

I am especially pleased that the President has singled out the field of mental health for special emphasis. I think that the need for concerted action on problems of mental health is particularly urgent. In this connection it will be recalled that on January 26 I introduced the bill, S. 724, which provides for the establishment of a Presidential Commission on Mental Health. I propose to introduce additional legislation in this field,

which, along with my previous bill, I believe, will focus attention on mental-health problems to a greater extent than heretofore and will accelerate our positive action in correcting them.

THE RURAL ELECTRIFICATION PROGRAM

Mr. CARLSON. Mr. President, one of the outstanding programs that has been and is of great benefit to the farmers of our Nation is the REA.

Great progress has been made in the REA program under the present allocation of funds to the various States. However, at present some of the States are unable to use their quota, while others lack sufficient funds to take care of their needs.

I introduce for appropriate reference a bill to amend the Rural Electrification Act of 1936 which would eliminate the present requirements for distribution of the funds among the States and give the Administrator additional leeway in using funds which presently are not allocated.

Under the bill Kansas could be allotted additional funds by the Administrator, and thereby take care of some of the demands we are unable to meet at present. It is my sincere hope that early consideration will be given to this proposed legislation.

Last year the Nation's electric co-ops distributed almost 20 percent more power to their 4 million members than they did in 1953.

The year's increase of 2.8 billion kilowatt-hours was as much as all the co-ops together sold in 1946, just 8 years ago.

Personally, I know of no program that has done more to improve farm life and make farm life more livable for the farmer's wife than electricity on the farm.

During the year 1954 the co-ops' farmer members paid an average of 3.06 cents a kilowatt-hour. That is 5 percent less than they paid in 1953. This reduction in the cost to the farmer members is partially responsible for an increase of 14 percent more electricity used on the farms. The average consumption was 219 kilowatt-hours a month.

This great increase in the use of electricity by the co-ops has resulted in increased earnings and last year they averaged 2.58 mills against 2.25 in 1953.

In the past year they added 38,700 miles of line and 151,000 new customers.

I ask unanimous consent, Mr. President, that a copy of the bill be printed in the RECORD as a part of these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 851) to amend the Rural Electrification Act of 1936, as amended, introduced by Mr. CARLSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 3 of the Rural Electrification Act of 1936, as amended, is further amended by striking out all of subsections (c) and (d).

SEC. 2. Subsection (e) of section 3 is amended by striking out the following words: "without allotment: *Provided, however*, That not more than 10 percent of said sums for rural electrification loans may be employed in any one State or in all of the Territories" and by relettering said subsection "(c)", so that it will read as follows:

"(c) If any part of the annual sums made available for the purposes of this act shall not be loaned or obligated during the fiscal year for which such sums are made available, such unexpended or unobligated sums shall be available for loans by the Administrator in the following year or years."

SEC. 3. Subsection (f) of section 3 is amended by relettering it "(d)."

AMENDMENT OF SECURITIES ACT RELATING TO PUBLIC DISCLOSURE

Mr. CAPEHART. I introduce for appropriate reference a bill to amend the Securities and Exchange Act for the purpose of protecting the public interest and investors whenever the Securities and Exchange Commission finds that any person or group is soliciting proxies or purchasing any security for the purpose of gaining control of the issuer's business.

Stockholders have, and should have a controlling voice in the management of their business.

I would not change this and I would in no way discourage stockholders who seek to improve management policies in good faith.

However, stockholders and prospective investors are entitled to know who actually seeks control of a large corporate business.

In recent months we have seen heated contests for control of huge corporate enterprises.

A recent episode of this kind involved the New York Central Railroad.

In progress now is a struggle by the Wolfson group for control of the Montgomery Ward Co.

During the past year there have been 28 such cases before the Securities and Exchange Commission and, in all probability, there will be many more cases in the future.

I feel strongly that it is in the public interest and for the protection of investors that those seeking control of such large companies and corporations be required to make full disclosure of their identity and the identity of their associates.

This is the sole purpose of the bill.

There is no need for me to be specific in this recollection, but it is generally known that in recent years legitimate businesses have been acquired by underworld interests through proxy contests in which actual identities were hidden.

I submit this bill as one approach to this problem. The introduction of the bill will provide a basis for hearings which I hope will be held as soon possible in order that the Senate Banking and Currency Committee may fully explore the situation and obtain such suggestions as the SEC Commissioners and others may be able to furnish.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 879) to amend the Securities Exchange Act of 1934 to increase public disclosure of security ownership, introduced by Mr. CAPEHART, was received, read twice by its title, and referred to the Committee on Banking and Currency.

READJUSTMENT OF POSTAL RATES

Mr. CARLSON. Mr. President, last week the Postmaster General, Mr. Summerfield, sent to the Vice President a bill drafted by the Post Office Department "to readjust postal rates, establish a Commission on Postal Rates; and for other purposes."

The Vice President referred this bill to the Post Office and Civil Service Committee.

This measure embodies the recommendations of the Department.

On behalf of myself, the Senator from California [Mr. KNOWLAND], the senior Senator from Colorado [Mr. MILLIKIN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. MARTIN], the senior Senator from Utah [Mr. WATKINS], the junior Senator from Utah [Mr. BENNETT], the junior Senator from Maryland [Mr. BEALL], the Senator from New Jersey [Mr. SMITH], the junior Senator from Indiana [Mr. JENNER], the senior Senator from Indiana [Mr. CAPEHART], my colleague, the senior Senator from Kansas [Mr. SCHOEPPEL], the Senator from Ohio [Mr. BRICKER], the senior Senator from Maryland [Mr. BUTLER], the Senator from Idaho [Mr. DWORSHAK], the Senator from Illinois [Mr. DIRKSEN], the Senator from Michigan [Mr. POTTER], the junior Senator from Colorado [Mr. ALLOTT], the Senator from Wyoming [Mr. BARRETT], and the Senator from Iowa [Mr. MARTIN], I am today introducing this proposed legislation.

The bill will be at the desk today and it is open for other Senators to cosponsor if they so desire.

The 83d Congress, by Senate Resolution No. 49, authorized an Advisory Council appointed by the Post Office and Civil Service Committee. I was chairman of that council. It made a very comprehensive study of postal operations and submitted a number of recommendations to the Senate in its report.

One of the recommendations, No. 24, stated that "postal rate increases should be immediately considered by the Congress." This, together with other carefully considered recommendations submitted to the Senate and authorized by Senate Resolution No. 49 of the 83d Congress, should have early consideration.

I believe it is obvious that any legislation in this vital area must be subject to the closest congressional scrutiny and must be based on policy established and defined by the Congress.

This is emphasized when the Department recommends that the Congress yield to a Commission its responsibility to fix rates for the services of the Department which has a monopoly on the distribution of mail.

I ask that the bill be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 881) to readjust postal rates; establish a Commission on Postal Rates; and for other purposes, intro-

duced by Mr. CARLSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

EXTENSION OF VOLUNTARY PREPAYMENT HEALTH SERVICES PLANS

Mr. SMITH of New Jersey. Mr. President, I introduce for appropriate reference a bill providing for the extension of voluntary prepayment health services plans, and so forth, reflecting in legislative form those parts of President Eisenhower's special health message which fall within the jurisdiction of the Senate Committee on Labor and Public Welfare.

I may note, as my colleagues know, that the President's message was delivered in the House of Representatives on yesterday and has come to the Senate today. Therefore, I am introducing in the Senate a bill on the subject referred to by the President.

I do this as the ranking Republican member of the Committee on Labor and Public Welfare. However, I am happy to list as cosponsors the Senator from New York [Mr. IVES], the Senator from Connecticut [Mr. PURTELL], the Senator from Ohio [Mr. BENDER], and the Senator from Colorado [Mr. ALLOTT], all of whom are members of the Committee on Labor and Public Welfare.

Since I have prepared this statement the following Senators have asked to be listed as cosponsors: The Senator from Minnesota [Mr. THYE], the Senator from Connecticut [Mr. BUSH], the Senator from Massachusetts [Mr. SALTONSTALL], and my colleague the junior Senator from New Jersey [Mr. CASE].

I invite any other Senators to join in cosponsoring this bill and ask unanimous consent that their names may be added any time today.

It should be noted that the President's message contains recommendations which, to be made effective, require amendment of the Social Security Act. Since any such proposed amendments are not within the jurisdiction of the Senate Labor Committee, the so-called omnibus bill of six titles which I am now introducing, does not include those proposals.

I understand those amendments will be introduced by some member of the Committee on Finance.

Mr. President, I am confident that all who read the President's health message, and all who study the legislative proposals contained in the bill will be impressed by the scope and balance of the program outlined. Thus, it embraces provisions relating to a reinsurance service to stimulate the extension of voluntary health insurance protection; the insurance of private loans for the construction of additional health facilities; the training of additional personnel needed to provide nursing and public-health services; the development of new and more flexible State and local public-health programs; and the expansion of programs and services in the increasingly important field of mental health.

The program outlined in the bill has been carefully designed to advance the Nation's health, through measures within the framework of our free-enterprise society. I hope the Senate Committee on Labor and Public Welfare will proceed as rapidly as possible with the scheduling of hearings and committee consideration of all phases of the bill. I am confident that if the 84th Congress, after due deliberation, enacts legislation following the philosophy and pattern of President Eisenhower's recommendations, this Congress will long be remembered for its constructive contributions to the ultimate solution of the health needs of our citizens.

Mr. President, the bill itself is of such length that I do not ask that it be printed in the RECORD. However, I have had prepared a summary of the bill, and I ask unanimous consent that the summary be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the summary will be printed in the RECORD.

The bill (S. 886) to improve the health of the people by encouraging the extension of voluntary prepayment health services plans, facilitating the financing of construction of needed health facilities, assisting in increasing the number of adequately trained nurses and other health personnel, improving, and expanding programs of mental health and public health, and for other purposes, introduced by Mr. SMITH of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary presented by Mr. SMITH of New Jersey is as follows:

SUMMARY OF TITLE I—HEALTH SERVICES PREPAYMENT PLANS

IN GENERAL

As a partial attack on the problem of making needed health services and facilities available to the maximum number of people on a prepayment basis, this title of the bill would authorize a two-pronged program within the Department of Health, Education, and Welfare, namely (a) technical advisory and informational services, without charge, to health services prepayment plans, and (b) reinsurance for health services prepayment plans established and operated by commercial insurance carriers or by nonprofit carriers.

ADMINISTRATIVE STRUCTURE

1. The bill would vest all responsibility for the administration of the program in the Secretary of Health, Education, and Welfare. (Under existing law, the Secretary could delegate all or any part of this function and either place it in an existing major unit within the Department or place it in a new unit.)

2. The bill would provide for a National Advisory Council on Health Services Prepayment Plans consisting of 12 members appointed by the President, one of whom would be designated by the President as chairman. The Council would advise, consult with, and make recommendations to the Secretary on matters of policy relating to the Secretary's activities and functions under this title of the bill.

3. In addition to authorizing, in general terms, utilization of other Federal agences, or of any other public or nonprofit agency or institution, the bill would provide for maximum utilization by the Secretary of the various State insurance departments (or other State agencies supervising carriers of health services prepayment plans), especially in determining compliance with requirements and standards prescribed by the Secretary as a condition of approval of a health services prepayment plan for reinsurance. Final responsibility for such determinations would, of course, rest with the Secretary.

4. Regulations under this title of the bill could not authorize any Federal officer or employee to exercise any supervision or regulatory control over any participiating carrier, or over any hospital or other health facility or personnel furnishing personal health services covered by a participating prepayment plan.

TECHNICAL AND ADVISORY SERVICES

Under this part of the program, the Secretary would be authorized to conduct studies and collect information on the organizational, actuarial, and other problems of health services prepayment plans, make the results of such studies and the information so collected generally available, and provide to sponsors of such plans, without charge, organizational and other technical advice and information, including information on morbidity and organizational methods.

For this part of the program a separate appropriation would be authorized.

REINSURANCE PROGRAM

1. Four types of plans would be eligible for reinsurance under title I of the bill.

(a) Plans for average and lower income families: These are plans designed primarily to provide reasonable coverage for families of average or lower income, and which meet certain requirements set forth in the bill. These requirements are—

(1) For service-type plans, provision of

(i) 70 or more days' hospitalization per year,

(ii) in-hospital surgical and other medical care,

(iii) home and office physician care.

(2) For indemnity-type plans,

(i) not more than 15 percent coinsurance for hospital care, 25 percent for physician care, and 25 percent for other care and services included in the plan,

(ii) maximum deductible of $100 per illness per beneficiary or $150 per year per beneficiary or family and maximum liability of at least $750 per illness per beneficiary or $1,000 per year per beneficiary or family.

(3) For both types of plans,

(i) no illness exclusions (except for certain specified illnesses, such as tuberculosis, etc.),

(ii) maximum age of at least 70 years and automatic renewal on reasonable terms after 5 years,

(iii) conversion of group policies on reasonable terms,

(iv) compliance with other requirements in regulations.

(b) Major medical expense plans: These are plans designed to provide protection against the exceptionally high costs of medical and hospital care per illness per beneficiary, which meet certain specified conditions. These are: not more than 25 percent coinsurance (with respect to the personal health services specified in the plan), coverage of all illnesses (except for certain specified ones), conversion of group policies on reasonable terms, and other requirements in regulations.

(c) Plans for rural area families: Plans designed primarily for rural area families which comply with requirements in regulations.

(d) Other plans: Other plans which will carry out the purposes of this title of the bill and which comply with requirements in regulations.

The Secretary would also be authorized, as a condition of granting reinsurance, to establish by regulation terms, conditions, and requirements as to the other types and kinds of prepayment plans which will be

reinsured, coinsurance, deductible amounts, and so forth.

2. This program is designed to be self-sustaining, over a reasonable term, through reinsurance premiums paid into a revolving reinsurance fund. An appropriation of not to exceed $100 million to a capital-advance account in the Treasury would be authorized, which would be available, without fiscal year limitation, as a line of credit for advances of working capital to the reinsurance fund. When and as the condition of the fund permits, such advances would be repayable to the capital-advance account and the amount so repaid would again be available for future advances to the fund if needed. Until repayment, interest on the outstanding balance of advances to the fund would be payable to the Treasury as miscellaneous receipts.

3. Reinsurance premiums would, pursuant to regulation, be fixed by the Secretary at rates determined with a view to achieving the objectives of the program and fiscal self-sufficiency over a reasonable term. Such premiums could, and probably would, be fixed separately for each plan (for the initial reinsurance term, and thereafter again for each renewal term).

4. Reinsurance liabilities under the program would be limited to and paid from the fund, except that the Secretary could set up separate reinsurance accounts within the fund, in which event liability would be limited to the account to which a plan is allocated. It would be possible, under this provision, to establish, for example, special reinsurance accounts for each of the types of plans eligible for reinsurance as described above in paragraph 1, for classes of carriers, or for members of a group of affiliated or associated carriers.

5. The fund would be invested in Federal or federally guaranteed, interest-bearing securities.

6. Authority to write reinsurance in a given field would be subject to a standby or no-competition provision. That is to say, the Secretary could reinsure plans of a given kind or type only if, in the Secretary's judgment, reinsurance for such plans, on terms and conditions, and at premium rates, comparable to those offered under this title of the bill, is not available from private sources to an extent adequate to promote the purposes of the program. By implication, the Secretary would have to stop writing reinsurance when such a finding could no longer be made.

7. Reinsurance for a plan could not be granted unless (a) the applicant carrier is operating and proposes to operate according to law, (b) there is no reason to believe that the carrier is financially unsound or that it operates in an unsafe manner, (c) the reinsurance of the plan will promote the purposes of the program, (d) the carrier agrees to submit such reports concerning its operations under the reinsured plan as the Secretary may from time to time reasonably require, (e) the carrier has agreed to the reinsurance premium rate fixed by the Secretary for the plan, and (f) the plan, the policies, or contracts thereunder, and proposed method of operation comply with the terms and conditions prescribed for reinsurance. Certification by the State insurance department (or corresponding supervisory agency) of the carrier's home State as to whether there is reason to believe the carrier is financially unsound or unsafe, as determined in accordance with criteria established by the Secretary, could be accepted by the Secretary as conclusive. As to utilization of State agencies with respect to (f), see paragraph 8.

8. As a condition of granting reinsurance, the Secretary could, among other things, specify (a) minimum benefits; (b) safeguards against undue exclusions of preexisting conditions or of specific illnesses, or against other undue exclusions or limitation; (c) standards for deductible and coinsurance provisions, limits of maximum liability, waiting periods for benefits, and other such policy provisions; (d) standards for the duration, cancelability, and renewability of such policies or contracts; and (e) standards for plan provisions with respect to costs and charges of providers of personal health services payable by the carrier, to the extent such standards are necessary to protect the fund against abuses or arbitrary cost increases. The Secretary would be precluded from reinsuring any plan for which the carrier's premium rates are such as to make the plan financially unsound, or any plan with respect to which the carrier's breakdown of its single premium rate, as between reinsured and nonreinsured types of benefit costs, is unreasonable, or any plan reinsurance of which would not promote the purposes of this title of the bill, but in other respects the Secretary would be precluded from setting any standards for the carrier's premium rates. The State insurance department or corresponding State agency of a carrier's home State (as defined) would, if willing, be utilized to certify to the Secretary whether the plan complies with the terms and conditions stipulated as a condition of granting reinsurance.

9. The Secretary could not approve for reinsurance any plan for direct provision of medical or dental services by the carrier through a salaried staff of physicians, surgeons, or dentists in the employ of such carrier, unless the carrier has an organizational structure vesting control over the practice of medicine or dentistry solely in duly licensed members of the professions involved.

10. The liability of the reinsurance fund with respect to a reinsured plan would be fixed and limited as follows:

(a) The reinsurance base.

The fund would not underwrite all of the carrier's annual benefit costs under the plan. Rather, the reinsured portion of such costs would be limited to the excess, if any, of

(1) aggregate annual incurred benefit costs under the plan, over

(2) the difference between (i) gross annual earned premium income and (ii) a portion of such income called the administrative-expense allowance.

The administrative-expense allowance applicable to a given year for a reinsured plan would be determined by multiplying the gross earned premium income for the year by seven-eighths of the carrier's preestimated (and thus predetermined, prior to the commencement of the reinsurance term into which the year falls) ratio of its annual administrative expenses under the plan [1] to its annual earned premium income under the plan.

Thus, before reinsurance would begin to apply, the carrier would in effect have to absorb fully out of its premium income, as benefit costs, (1) the anticipated portion of premium income normally devoted to benefit costs for such a plan, (2) the portion anticipated as available for profits (in the case of a carrier organized for profit) and for contingencies, and (3) one-eighth of the portion of premium income anticipated as administrative expenses. However, there is one variation of the foregoing for rural-area plans. Instead of absorbing one-eighth of the anticipated administrative expenses, the carrier could at its option absorb 2 percent of its anticipated premium income if this would result in reinsurance of a larger portion of its benefit costs.

Procedurally, the ratio of administrative expenses to earned premium income of the carrier under the plan would be estimated by the carrier, and that estimate would be submitted (with supporting data) with the application for initial reinsurance or renewal of reinsurance. In order to prevent distortion, the Secretary could require the submission of an average ratio based on a period not in excess of 3 years. The carrier's estimate would have to be approved by the Secretary unless considered to be unreasonable or not in good faith.

For plans operated to a substantial extent on the basis of personal health services to be furnished by the carrier directly through its own staff or indirectly through the staff of an affiliate, or on the basis of payments made by the carrier to a provider of personal health services which is an affiliate of the carrier, the above formula would not apply, but the Secretary would, by regulation, prescribe a formula calculated to achieve for such plans reinsurance protection reasonably comparable in scope and extent to that provided for other types, taking into account their inherent differences.

(b) Coinsurance.

The liability of the fund would be limited to 75 percent of the carrier's "reinsured cost" so arrived at. This is an adoption, for this purpose, of the principle of coinsurance.

11. The reinsurance term would be stipulated for a given (regular) period, e. g., a year, in the reinsurance certificate, but the Secretary could, by or pursuant to regulation, provide for letting the reinsurance term extend beyond such regular period with respect to policies or subscriber contracts issued during such period and running beyond it. Also authorized pursuant to regulations would be the combination of a carrier's experience under two or more reinsured plans during the same term. In addition, regulations could provide for the extent to which experience during a term will be combined with experience during extensions thereof and the extent to which policies issued during but running beyond the reinsurance term will be treated as though issued in a subsequent term.

12. Reinsurance for a plan could be terminated by the Secretary on any ground specified in regulations in effect not less than 90 days in advance of the commencement of the current initial or renewal term of such reinsurance. However, reinsurance with respect to policies or subscriber contracts in effect on the effective date of such termination would remain in force until the normal expiration of the term.

MISCELLANEOUS

1. The bill would confer broad powers on the Secretary with respect to enforcement or settlement of claims, and would authorize the Secretary to hold hearings, etc., in connection with investigations under the program.

2. Criminal penalties would be imposed, not only for falsely advertising or representing that a carrier is reinsured or has applied for reinsurance but, regardless of the truth or falsity of the representation, also if the representation is not authorized by, or fails to conform to, regulations prescribed by the Secretary.

3. The effective date would be the 30th day following enactment, but in view of the necessity for a preparatory period the Secretary would not be required to receive or consider applications for reinsurance before a date determined by the Secretary.

SUMMARY OF TITLE II—MORTGAGE INSURANCE FOR CONSTRUCTION OF HEALTH FACILITIES

IN GENERAL

In order to facilitate further the financing and development of needed facilities, the bill would authorize the establishment, within

[1] As here used, the term "administrative expenses" is intended to include all of the carrier's expenses and charges incurred under the plan, except the benefit costs and except any provision for contingencies, profits, dividends, and refunds. The Secretary would be authorized to define "administrative expenses" for such purposes more particularly.

the Department of Health, Education, and Welfare, of a program of mortgage insurance to stimulate, on a self-sustaining basis, a continuing flow of private credit to finance the construction, expansion, modernization, and conversion of privately owned and operated health facilities. It would also remove certain restrictions on certain Federally regulated lending institutions with respect to their investments in loans on real property in the case of such Federally insured mortgages, and the existence of the program would encourage the removal of similar restrictions imposed on such loans under State law.

ADMINISTRATIVE STRUCTURE

1. The bill would vest responsibility for the administration of the program in the Secretary of Health, Education, and Welfare. Under existing law the Secretary could delegate all or any part of this function and either place it in an existing major unit within the Department or place it in a new unit. In addition, the bill carries express authority to utilize, by delegation or otherwise, the services and facilities of any other Federal agency by agreement with the head of the agency.

2. The bill would authorize the Secretary to consult with and otherwise use the services of existing advisory councils, to appoint new members to serve with such councils for purposes of this program, or to establish additional advisory groups as deemed necessary.

3. Except as otherwise specifically provided, no Federal officer or employee would be authorized to exercise any supervision or control over the administration, personnel, or operation of any privately owned and operated health facility. The bill also expressly precludes any possibility of its being interpreted as authorizing any association or corporation to engage in the practice of healing or medicine as defined by State law, or as conferring on any person the right to exercise any control over any individual's personal right to select his own hospital, physician, or group of physicians.

FINANCING OF THE PROGRAM

1. The health facilities mortgage insurance program is designed as a self-sustaining business-type financial operation. Premiums for insurance of the principal of eligible mortgages would be paid into a revolving fund, to be known as the health facilities mortgage insurance fund, which would be used for carrying out the program. An initial appropriation of $10 million, and such additional sums thereafter as necessary, would be authorized for the purpose of establishing a separate working-capital account from which needed capital would be transferred to the health facilities mortgage insurance fund by the Secretary. Such capital advances would be repayable to the working-capital account as the condition of the insurance fund permits, beginning not later than July 1, 1965, and would then be available for future advances to the fund on like terms. (Interest would accrue to the Treasury on such capital advances, and would be payable annually as and when sufficient reserves, etc., have been built up in the insurance fund.) Should additional funds be required to meet liabilities incurred under insurance contracts of the program, such funds could be obtained by the sale of notes or other interest-bearing obligations to the Treasury, which would become liabilities of the insurance fund and be redeemable out of income and other assets of the fund. This line of credit has a limit of $25 million or, if greater, 75 percent of the outstanding total insurance under the program.

2. The aggregate authorized insurance outstanding at any one time would be limited to $200 million. This program ceiling could be raised by the President up to an aggregate increase of $150 million, if he determined that such increases were in the public interest.

3. The Secretary would be authorized to fix premium charges at rates adequate to cover expenses and reserves but not in excess of 1 percent of the outstanding principal obligation of insured mortgages. Reasonable charges for appraisal and inspection would also be authorized.

ELIGIBILITY FOR MORTGAGE LOAN INSURANCE

1. Mortgages would be eligible for insurance if made to secure loans to finance health facilities conforming to standards of construction and equipment satisfactory to the Secretary and to all applicable requirements of State law. The mortgagor would also be required, as a condition of eligibility, to give satisfactory assurance that operation and maintenance of the completed facility would be in compliance with applicable requirements of State law. No mortgagor would be eligible who was not the owner and operator, or prospective operator, of the facility and who could not satisfy the Secretary as to his responsibility and ability to repay. However, employers and nonprofit organizations (as defined) would be considered "operators" for purposes of this program if they owned the facility and had made contractual arrangements with providers of health services to use the facility primarily for furnishing services in the facility for such owner's employees, subscribers, or members, or their dependents, under a plan of such employer or organization, though use of the facility would not necessarily be restricted to such employees, subscribers, members, or dependents. No mortgagee would be eligible unless approved by the Secretary as responsible and able to service the mortgage properly.

2. The mortgage insurance program would assist in financing the new construction, or expansion, modernization, etc., of a wide variety of health facilities, including hospitals, diagnostic or treatment centers, nursing homes licensed by the States, and rehabilitation centers. It would not be available to finance facilities devoted primarily to domiciliary care. The loan secured by the insured mortgage could include costs of construction, initial equipment, and site acquisition, and, in the case of expansion, remodeling, or conversion of an existing building, it could include the cost of acquiring the existing building and site or of refinancing an existing indebtedness thereon.

3. Mortgage insurance would be authorized for mortgages securing loans in amounts not in excess of 80 percent of the estimated value (upon completion) of the property (including the land), for terms not in excess of 30 years. This maximum percentage could be lowered by regulation, either for particular classes or types of facilities or otherwise. As a condition of insurance the mortgagor would be required to agree to repay forthwith any amount by which the mortgage loan exceeded 80 percent of the actual cost (as defined). (In determining such estimated value or such "actual cost," the Secretary would be required to deduct the amount of any Federal grant, such as a grant under the hospital survey and construction program, to which the sponsor is entitled for the project.)

4. The Secretary would be authorized to prescribe by regulation the form and content of applications to be made by the mortgagee and other terms and conditions for the insurance of eligible mortgages and would be required to find in each case, as a condition of insurance, that the project was economically sound and that the health facility would be operated on a basis that provided a reasonable prospect of continuing and adequate sources of revenue to pay the secured obligation. (In passing on the question of economic soundness in the case of a hospital project, the Secretary would be required to take into account available information as to existing hospital facilities, population-bed ratios, and bed-utilization rates in the area to be served, other programed hospital construction which would affect utilization of the projected facility, and similar relevant matters.) Each mortgage would be required, among other things, to contain an undertaking that, except as authorized by the Secretary and the mortgagee, the property would be used as a health facility during the life of the mortgage or until the contract of insurance had been otherwise terminated.

INSURANCE CONTRACT AND INSURANCE BENEFITS

1. The insurance fund would be primarily liable under mortgage insurance contracts. The Government's obligation under the contract of insurance would be to pay in cash to the mortgagee, upon 30 days' default of the mortgagor, 95 percent of the value of the mortgage (defined as unpaid principal, plus certain charges and expenses for taxes, insurance, etc.) with 3 percent interest from the date of default. As a condition of this payment the mortgagee would either assign the mortgage to the Secretary or, through foreclosure or otherwise, convey to the Secretary title to the mortgaged property, but in the event of mere assignment of the mortgage to the Secretary, which would relieve the mortgagee of foreclosure costs, etc., 1 percent of the unpaid principal of the mortgage would be deducted from the insurance payment.

2. In addition to the payment in cash of an amount equal to 95 percent of the value of the mortgage, the Secretary would also issue to the mortgagee a certificate of claim for the difference between the amount of the cash payment and the amount the mortgagee would have received if the mortgagor had paid all his obligations in full under the mortgage, plus an allowance for the mortgagee's expenses where the mortgagee had foreclosed the mortgage or otherwise acquired title for the Secretary. The certificate of claim would bear 3 percent interest but would be payable only out of the proceeds of the property after the fund had been made whole for all payments and expenses incurred under the mortgage insurance transaction.

3. The bill provides for adjustment of premium charges in case the principal obligation of an insured mortgage is paid in full prior to maturity, and for termination of the insurance contract in the event the mortgagee, after 30 days' default of the mortgagor, fails to assign the mortgage, or to have title delivered to the Secretary, as required under the bill in such cases and elects not to claim the insurance after default of the mortgagor. In addition the Secretary would be authorized to require the mortgagee to accelerate the debt on breach of covenant or other undertaking contained in the mortgage, if that course should be found to be necessary for the protection of the insurance fund or required by the purposes of the program.

MISCELLANEOUS

1. The Secretary would be given broad powers to sue and be sued, compromise claims, acquire, manage, and convey property in carrying out the program, and generally to exercise all the rights of a mortgagee with respect to mortgages and the rights of an owner with respect to property acquired in the administration of the mortgage insurance program. In order to facilitate the sale of mortgages acquired by the Secretary or executed in connection with the sale of property which had been acquired by the Secretary, the insurance of such mortgages would be authorized without regard to the limitations with respect to eligibility for mortgage insurance otherwise applicable.

2. The bill would authorize the collection and distribution of information and statistics pertaining to the insurance of mortgages.

3. Insured mortgages would be exempted from certain investment and other restrictions under Federal laws, as is the case with mortgages insured under the National Housing Act.

4. Criminal penalties are provided for in the bill for fraud or forgery in connection with transactions under the mortgage insurance program.

5. The effective date of this program would be October 1, 1955.

SUMMARY OF TITLE III—PRACTICAL NURSE TRAINING

Title III of the bill authorizes a 5-year program in the Office of Education for the extension and improvement of practical nurse training through grants to State vocational education agencies for the training of practical nurses.

GENERAL

Vocational education grants to States for the 5-year period beginning July 1, 1955, for extension and improvement of practical nurse training of less than college grade would be authorized. The program would be applicable to all States, including Alaska, Hawaii, the Virgin Islands, Puerto Rico, and the District of Columbia.

APPROPRIATION AUTHORIZATION

Two million dollars would be authorized for fiscal 1956, $3 million for fiscal 1957, and $4 million each for fiscal 1958, 1959, and 1960.

ALLOTMENTS

Allotments to the States would be based on relative State population, but with a minimum to each State of $7,500 per fiscal year ($3,750 in case of the Virgin Islands).

MATCHING

The Federal share of approved projects for extension and improvement of practical nurse training would be 75 percent for first 2 fiscal years and 50 percent for last 3 fiscal years.

STATE PLANS

The States would have to submit plans—

(1) Designating the State board (the State board of vocational education or the State board primarily responsible for supervision of elementary and secondary education) as the sole agency for administration of the plan, or for supervision of administration by local educational agencies, with a registered professional nurse in charge of or available for consultation to the State board.

(2) Showing the plans, policies, and methods to be followed under the plan and providing such fiscal procedures, etc., as are necessary for efficient administration.

(3) Containing minimum qualifications for teachers, teacher-trainers, supervisors, and directors.

(4) Providing for reports to the Commissioner of Education as necessary.

WITHHOLDING OF FUNDS

The Commissioner may withhold payments, after notice and hearing to the State board, for failure to comply with requirements applicable to State plans. A State may appeal to circuit court of appeals and then to United States Supreme Court if dissatisfied with the withholding of funds.

ADMINISTRATION

This title of the bill would be administered by the Commissioner of Education. The Commissioner would (a) make relevant studies, investigations, and reports; (b) render technical assistance to States; and (c) disseminate pertinent information. He would also be authorized to make rules and regulations and to delegate his powers and duties, other than rulemaking, within the Office of Education.

EFFECT ON OTHER LAWS

Nothing in this title would affect the availability of amounts paid to States under the Smith-Hughes Act (39 Stat. 929), as amended and extended, or the George-Barden Act (60 Stat. 775), as amended and extended, for practical nurse training.

SUMMARY OF TITLE IV—GRADUATE TRAINING OF PROFESSIONAL NURSES AND OTHER PROFESSIONAL HEALTH PERSONNEL

Title IV of the bill authorizes a revised program of traineeships in graduate nursing and in public-health specialties.

This title of the bill adds a new section 305 to the Public Health Service Act authorizing the Surgeon General to establish and maintain two broad categories of traineeships, in the Service and elsewhere. There would be traineeships for graduate or specialized training in public health for doctors, engineers, nurses, and other professional health personnel. Also authorized would be traineeships for training professional nurses for teaching or for administrative or supervisory duties in the various fields of nursing.

This new section of the Public Health Service Act also authorizes the provision of the traineeships through grants to public and nonprofit institutions. The traineeships would include stipends and allowances in amounts to be determined administratively.

SUMMARY OF TITLE V—PUBLIC HEALTH SERVICES

This title of the bill would, effective July 1, 1955, replace the present separate authorizations for public health grants under section 314 of the Public Health Service Act, including the separate authorizations for control of particular diseases, with an authorization for grants for support of public health services generally and for extension and improvement of such services, and grants for special projects.

GRANTS TO STATES FOR PUBLIC HEALTH SERVICES

Allotments and payments for public health services

Allotments and payments under the revised section 314 of the Public Health Service Act for general support grants would be made as follows:

(1) For the fiscal year ending June 30, 1956, and the fiscal year ending June 30, 1957, each State would be allotted an amount equal to its allotment under section 314 for the current fiscal year (ending June 30, 1955), including its current allotment for cancer grants but excluding its current allotment for mental health grants.

(2) The remainder, after allotment according to paragraph (1), of the appropriations for the fiscal years 1956 and 1957, and all sums appropriated in succeeding fiscal years would be allotted in accordance with regulations on the basis of (A) population, (B) extent of particular health problems, and (C) relative financial need of the States.

(3) Payments from the State's allotment, except from sums set aside under subsection (c) for extension and improvement grants, would be made in accordance with the Federal share (established for each State, as described below, on the basis of relative per capita income) of the cost of public health services under the State plan, the cost of training personnel for State and local public health work and the cost of administering the State plan.

Extension and improvement grants

The Surgeon General would be authorized to establish a percentage, not in excess of 20 percent, to be set aside from the allotments to the States for public health services. The percentage would be uniform for all States. The percentage of the allotments so earmarked could be used only for approved projects for extension and improvement of public health services, which are included in the State plan. Payments for any one such project could be made for 4 years only. Payments would equal 75 percent of the cost of the project for the first 2 years, and thereafter could meet not more than 50 percent of project costs, including costs for administration and training of personnel for State and local public health work.

State plans

The Surgeon General would be required to approve any State plan which meets the requirements prescribed by regulation. Separate State plans for mental health would have to be submitted in States with a separate State mental-health authority.

Regulations

As under existing law, all regulations with respect to grants to States under the new section 314 could be made only after consultation with a conference of State health authorities, including State mental-health authorities when grants for work in the mental-health field are concerned, and with their concurrence insofar as practicable.

Withholding of grants

As under existing law, notice and hearing to the State authority is required prior to the discontinuance of grants for noncompliance with the requirements applicable to the State plan.

Such withholding would apply to the State's allotments for public-health services, including extension and improvement thereof, and including its allotments under the new section 315 for mental-health services, or the withholding could apply only to a particular project or portion of the State plan affected by the State's failure if the Surgeon General deemed such action appropriate.

Judicial review would be authorized for any State dissatisfied with the Surgeon General's action withholding its allotments.

The Federal share

The Federal share establishes the portion of the cost of public-health services which may be paid from grants under the new section 314 (not earmarked for extension and improvement projects). It is defined as a percentage which equals 100 percent minus the percentage which bears the same ratio to 50 percent as the per-capita income of the State bears to the per-capita income of the continental United States (excluding Alaska). However, the Federal share could not exceed a maximum of 66⅔ percent nor could it be less than 33⅓ percent; and the Federal share would be fixed at 50 percent for Hawaii and Alaska, and at 66⅔ percent for Puerto Rico and the Virgin Islands.

Method of computation and payment of grants

Payments of amounts from the State allotments (including the portion for extension and improvement projects) would be based on estimates made on the basis of records and information furnished by the State and any other necessary investigation with subsequent adjustment to correct any errors in estimates. Payments would be made in such installments as the Surgeon General might determine.

In case an officer or employee of the Public Health Service is detailed to a State, or to a political subdivision, or public or nonprofit organization or agency in the State, for the convenience and at the request of the State, the Surgeon General would be authorized, when so requested by the State health authority, to reduce any payment to the State by the amount of the pay, allowances, traveling expenses and other costs related to the detail of such officer or employee. The amount of that reduction would then be available for payment by the Surgeon General of the costs of the detail.

Technical assistance and detail of personnel

The Surgeon General would also be authorized, in order to assist further in the extension and improvement of public health services, to train personnel for State and local public health work, to detail personnel to Guam and American Samoa, and to extend training investigation, demonstration, and

consultative services to Guam, American Samoa, and the Trust Territory of the Pacific Islands.

Combination of allotments

The new section 314 also authorizes the Surgeon General, at the request of a State, to combine a portion of its allotment for public health services, or extension and improvement projects, with that of another State for purposes of supporting a particular and clearly defined public health service, or a project, undertaken by another State.

GRANTS FOR SPECIAL PROJECTS

Section 502 of the draft bill would amend section 303 of the Public Health Service Act (which now relates to mental health) by replacing it with a new section.

The new section 303 would authorize appropriations, beginning with the fiscal year ending June 30, 1956, to enable the Surgeon General to make two types of project grants: (1) grants to States (or with the approval of the State authorities, to interstate agencies or political subdivisions) for part of the cost of public health services having importance for the solution of public health problems which are emergent or acute in specific geographical areas or are common to several States, or problems for which the Federal Government has a special responsibility; and (2) grants to State and local agencies, universities, laboratories, and to individuals for investigations, experiments, demonstrations, studies, and research projects which have been recommended by the National Advisory Health Council.

For purposes of this section, Guam would be deemed a State.

SUMMARY OF TITLE VI—MENTAL HEALTH

Title VI of the bill would authorize a separate grant program for mental health for the 5-year period beginning July 1, 1955, consisting of grants for public-health services in the field of mental health, comparable to the grants authorized by title V for public-health services in general. It would also authorize special project grants for specific problems related to the improvement of care, treatment, or rehabilitation of the mentally ill and improvement in the administration of institutions providing care for such persons.

GRANTS TO STATES FOR MENTAL HEALTH SERVICES

Section 601 of the bill would amend the Public Health Service Act by redesignating present section 315 as 316 and inserting a new section 315.

The new section 315 would authorize, in addition to the sums appropriated under the new section 314, which are also available for mental public-health programs, additional appropriations for a 5-year period, beginning with the fiscal year 1956, to be available specifically for public-health services in the field of mental health.

Allotments from these appropriations to the States would be made in accordance with regulations on the basis of population, extent of mental health problems, and financial need.

The provisions on payments from the State allotments are the same as under section 314 (as amended by title V of the bill); and the provisions of that section on regulations, methods of payment, and combination of allotments of States would be applicable here also.

GRANTS FOR SPECIAL PROJECTS IN MENTAL HEALTH

Section 602 of the bill would amend the Public Health Service Act to add a new section 304.

The new section 304 would authorize annual appropriations for a 5-year period, beginning with the fiscal year 1956, to enable the Surgeon General to make project grants in the mental health field similar to the grants authorized in section 303 (a) (2) for public health in general. The special projects in mental health authorized under this section would be directed particularly toward improved methods of care and treatment of the mentally ill and improved methods of operation and administration for institutions providing such care and treatment. Grants could be made to individuals and to public and private agencies, including the State agencies responsible for administration of State institutions for care and treatment of the mentally ill. Grants could be made only upon recommendation of the National Advisory Mental Health Council.

For purposes of this section Guam would be deemed to be a State.

TRAINEESHIPS IN MENTAL HEALTH

Section 603 would amend the Public Health Service Act by adding a new section 306.

The new section 306 would make clear that the general authority of the Surgeon General (sec. 433 of the Public Health Service Act) to establish and maintain traineeships in fields of diseases in which an institute has been established in the Public Health Service applies in the field of mental health.

EXTENSION AND STRENGTHENING OF WATER POLLUTION CONTROL ACT

Mr. MARTIN of Pennsylvania. Mr. President, I introduce, for appropriate reference a bill to extend and strengthen the Water Pollution Control Act. I ask unanimous consent to have printed in the body of the RECORD a statement I have prepared in regard to the bill, and also a summary of the contents of the bill. I make this request in the interest of the convenience of the Members of the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement and summary will be printed in the RECORD.

The bill (S. 890) to extend and strengthen the Water Pollution Control Act, introduced by Mr. MARTIN of Pennsylvania (for himself, Mr. CHAVEZ, Mr. DUFF, Mr. KNOWLAND, and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Public Works.

The statement presented by Mr. MARTIN of Pennsylvania is as follows:

STATEMENT BY SENATOR MARTIN OF PENNSYLVANIA

The bill I have introduced concerning stream pollution control is designed to safeguard the Nation's health and to preserve one of our most vital natural resources. The bill provides for continuing the Public Health Service activities initiated under the Water Pollution Control Act of 1948. Based on experience gained under the present act—which expires June 30, 1956—the bill provides for a permanent, continuing program, incorporating several modifications to strengthen the national program and to facilitate cooperative efforts with the States, interstate agencies, and industry. The bill would continue to vest in the States the primary responsibility for water pollution control, with the Federal effort directed to the role of research, professional consultation, and control over interstate pollution problems.

Of our natural resources, water has become the No. 1 concern of the Nation. In more and more areas the steadily increasing demands for water are exceeding the available supplies. In the past year more than 1,000 cities experienced domestic water shortages. Many industries are finding it increasingly difficult to secure suitable water to maintain production.

Water deficiencies can be met in part by impoundments to even out stream flows, but by and large, the solution will be conservation of water quality through abatement of water pollution. It is becoming extremely important that we purify our used water from cities and industries to the extent needed to permit repeated reuse as the streams flow from city to city and from industry to industry.

The intensity of water pollution increases with the growth of cities and industries. In 1900 the national economy was primarily rural with two-thirds of the people living on farms. Today the population has more than doubled with two-thirds living in cities. Industrial production is up 700 percent, with half the increase occurring since 1940. Pollution from this phenomenal growth has increased more than 400 percent since 1900. More than that, the character of the waste is changing and is becoming more and more complex. Across the Nation, water pollution has reached alarming proportions.

For example, Pennsylvania—like most States—is striving to preserve the quality of her 100,000 miles of surface streams. Over the past 10 years progress has been made in protecting this vital resource, which sustains industrial growth and furnishes drinking water for 8 million people. In 1945 the State appropriated $6,625,000 to its Department of Health to promote pollution control work. More than 350 municipal sewage-treatment plants have been built, and significant progress made in abatement of industrial pollution. Despite this effort, the problem remains formidable.

Water pollution is of concern not only to cities and industries, but threatens recreational resources and wildlife. It is not a simple problem—it involves balancing at all times the many allied uses of water—including carrying away our waste materials and preserving recreational and wildlife uses. Its solution is much more than a State problem—it requires cooperative effort between States and the support of the Federal Government.

In this cooperative effort, the Federal Government undertakes those functions that go beyond the resources and jurisdiction of the individual States. The important needs are for research, expert consultation and assistance on difficult problems, and control of interstate pollution. The bill which I have introduced today will accomplish these objectives.

The summary presented by Mr. MARTIN of Pennsylvania is as follows:

SUMMARY OF THE WATER POLLUTION CONTROL ACT AMENDMENTS

The bill, effective July 1, 1955, would amend the Water Pollution Control Act by replacing it with new provisions designed to extend and strengthen the act.

DECLARATION OF POLICY

Section 1 of the new act declares it to be the policy of the Congress in relation to water pollution control to (a) recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling pollution; (b) support and aid technical research; and (c) provide Federal technical services and financial aid to State and interstate agencies.

COMPREHENSIVE PROGRAMS

The amended act, as does the existing act, authorizes the preparation or adoption of comprehensive programs for control of pollution of all surface and underground waters, in cooperation with other public and private agencies and persons and with due regard

being given to all legitimate uses of these waters.

INTERSTATE COOPERATION

As under existing law, the Surgeon General would be directed to encourage interstate cooperation, enactment of improved State laws and compacts between the States for the prevention and control of water pollution. Congressional consent is given to negotiation of interstate agreements for cooperative work in the field of water pollution control and for establishment of interstate agencies to carry out the agreements.

GENERAL FUNCTIONS OF THE PUBLIC HEALTH SERVICE

The new act would expand and strengthen the research and related activities of the service by specifically authorizing the Surgeon General in the field of water pollution control—

1. To conduct, encourage, and promote the coordination of research, investigations, experiments, demonstrations, and studies in water pollution control and, for this purpose, to secure the help of experts and consultants, to establish research fellowships, and to provide training in technical matters relating to water pollution.

2. To cooperate with and aid appropriate agencies, institutions, and individuals in this field of work through grants-in-aid and contracts with them for research, demonstrations, and training.

3. In carrying out these functions, to collect and disseminate information on research, investigations and demonstrations.

STATE GRANTS FOR WATER POLLUTION CONTROL PROGRAMS

The new act broadens the existing authority with respect to grants to States and to interstate agencies for water pollution control work. It authorizes grants to States and interstate agencies to aid in the establishment and maintenance of adequate measures for the prevention and control of water pollution, such grants to be used for meeting costs, under approved plans, of establishing and maintaining adequate water pollution prevention and control measures, including costs of training personnel and administering the State and interstate agency plans. The amount of the appropriations for such grants would be determined by Congress, except that for the first 2 years, a ceiling of $2 million is specified. The portion of the appropriations available for the States and the portion available for the interstate agencies are to be specified separately in the appropriation acts.

Allotments to the several States would be made by the Surgeon General in accordance with regulations, on the basis of population, extent of water pollution problem, and financial need of respective States. Allotments to interstate agencies would be made in accordance with regulations, on such basis as the Surgeon General finds reasonable and equitable.

The State allotments would be available for paying the Federal share (described below) of the cost of carrying out State plans. The Federal share is defined as a percentage which equals 100 percent minus the percentage which bears the same ratio to 50 percent as the per capita income of the State bears to the per capita income of the continental United States (excluding Alaska). However, the Federal share could not exceed a maximum of 66⅔ percent nor could it be less than 33⅓ percent; and the Federal share would be fixed at 50 percent for Hawaii and Alaska, and at 66⅔ percent for Puerto Rico and the Virgin Islands.

For interstate agencies, the Federal share of the cost of their programs would be determined in accordance with regulations designed, as far as possible, to place such agencies on a basis similar to the States.

The Surgeon General is to approve plans, submitted by States and by interstate agencies, which meet requirements prescribed by regulation.

Regulations and amendments with respect to grants to States and interstate agencies would have to be made after consultation with, and insofar as practicable, agreement by States and interstate agencies.

The new act also provides for termination of a grant if the change in the State's or the interstate agency's plan, or administration thereof, no longer complies with requirements prescribed by regulation. This action would be subject to review in circuit courts of appeal, and then in the United States Supreme Court if the State or interstate agency is dissatisfied.

ADVISORY BOARD

The amended act establishes a 13 member Water Pollution Control Advisory Board consisting of 8 Government members and 7 members appointed by the President as follows: the Surgeon General or a sanitary engineer designated by him, representatives of the Departments of the Army, Interior, Commerce, and Agriculture, and the Atomic Energy Commission, the National Science Foundation, and the Federal Power Commission, and Presidential appointees representing the fields of sewage and industrial waste disposal, wildlife conservation, and, unless better furthered by different representation, the fields of municipal government, State government, affected industry, recreation and agriculture. Provision is made for staggered terms of office of 3 years duration for members appointed by the President. The size of the Board has been increased slightly and its composition changed somewhat by the amendment. A few other technical changes have also been made.

WATER QUALITY STANDARDS

The amended act authorizes the Surgeon General, as an aid in preventing, controlling, and abating pollution, to prepare or adopt and publish standards of water quality applicable to interstate waters at the point or points where such waters flow across or from the boundary of two or more States. Such standards are to be based on present and future uses of water for all legitimate uses, as determined in accordance with regulations prescribed after consultation with State, interstate, and Federal agencies. Further, the Surgeon General is authorized to prepare such standards only if, within a reasonable time after being requested to do so, the appropriate State and interstate agencies have not developed standards found by the Surgeon General to be acceptable. Alteration of the quality of waters so as to reduce them below these standards, and also below the quality certified by the affected State as essential to its present and future uses is declared to be a public nuisance subject to abatement.

ABATEMENT OF INTERSTATE POLLUTION

The amended act, as does existing law, specifies the measures which may be taken by the United States to secure abatement of any pollution of interstate waters which endangers the health and welfare of people in a State other than that in which the polluting matter is discharged. It declares such pollution to be a public nuisance and provides that the Surgeon General give formal notification to the polluter specifying a reasonable time to secure abatement. If abatement action is not taken within the time specified, the Secretary of Health, Education, and Welfare is authorized to call a public hearing before a board which shall make findings as to whether a nuisance is occurring, and in the event that such is the case, shall make recommendations which it finds reasonable and equitable to secure abatement. After a reasonable opportunity is given to the persons causing the pollution to comply with the recommendations of the board, the Secretary may request the Attorney General to bring suit to secure abatement.

The new act authorizes administration of oaths and issuance of subpenas to require testimony or production of records, and continues the existing provision that no enforcement action is authorized in areas subject to the jurisdiction of a public body where there is in effect an agreement between the United States by stipulation entered into in the United States Supreme Court.

ADMINISTRATION

The Surgeon General would be authorized to prescribe necessary regulations subject to the approval of the Secretary of Health, Education, and Welfare and to delegate his authority under the act to officers and employees of the Public Health Service. The Secretary could also utilize officers and employees of other agencies of the United States to assist in carrying out the purposes of the act, with the consent of the head of such agencies.

EXISTING AUTHORITY

The amended act preserves the authority and functions of the Surgeon General of the Public Health Service and other officers and agencies of the United States relative to water pollution control under other legislation or treaties.

JUVENILE DELINQUENCY CONTROL ACT

Mr. WILEY. Mr. President, in fulfillment of one of the important phases of President Eisenhower's latest message, I introduce for appropriate reference a bill to be known as the Juvenile Delinquency Control Act. I am co-sponsoring it with my distinguished colleague from Minnesota [Mr. THYE]. This bill is designed to cope with the problem of young men and women in crime, by preventing waywardness before it starts and by helping to rehabilitate youngsters already in trouble.

I ask unanimous consent that the text of a statement which I have prepared on this subject be printed in the body of the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 894) to strengthen and improve State and local programs to combat and control juvenile delinquency, introduced by Mr. WILEY (for himself and Mr. THYE), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. WILEY is as follows:

STATEMENT BY SENATOR WILEY

May I begin by pointing out that I, as a former member of the Senate Crime Investigating Committee, am particularly interested in doing everything I can to help protect the young people of our Nation.

Today President Eisenhower has transmitted to the Congress his recommendation for a program of grants to enable the States to strengthen and improve their programs and services for the control of juvenile delinquency.

And so I am introducing now this bill, which embodies the President's recommendation.

The Juvenile Delinquency Control Act represents the best thinking of the expert Department of Health, Education, and Welfare, which has been, and is, most deeply concerned with this problem.

This bill offers a new step in the direction of coping with this challenge, one of the most serious maladies of our times. It is serious because it concerns the boys and girls of our Nation, who are our most cherished possession. Not all of them are involved, it is true, but the number involved is much too great.

MOST YOUNGSTERS ARE LAW-ABIDING

In the New York Times Sunday magazine of November 7, 1954, Dr. Martha M. Eliot, Chief of the United States Children's Bureau, set this problem in proper perspective. She wrote, "Last year some 18 million boys and girls between the ages of 10 and 17 were not picked up by the police for any crime whatsoever, a vital statistic that somehow escapes attention in our eagerness to solve the problems of juvenile delinquency.

"In this group—95 percent of our juvenile population—are the youngsters who are living and growing and steadily progressing in families that understand their dual need for security and affection within their homes, and for freedom to explore life with their peers outside."

YOUTH CRIME IN MILWAUKEE COUNTY

I think that Dr. Eliot's statement helps prevent folks from "going overboard" and misrepresenting the overwhelming mass of law-abiding youngsters.

In my own State, in our heaviest populated area, Milwaukee County, it has been determined that the juvenile delinquency rate is around 2½ percent of the school-age population. Thus, in 1954 there were around 125,000 7- to 18-year-olds, around 5,000 of whom had one contact with the juvenile court.

Fortunately, Milwaukee County is experiencing a less rapid rise in delinquency than the Nation as a whole. My own State has always enjoyed a fine record of law enforcement, but we of Wisconsin know that there is a great deal more to be done within and outside our borders on behalf of our youngsters.

THE MOUNTING TIDE OF JUVENILE DELINQUENCY

The hard fact of the matter is that never before in our history has America had such a large number of juvenile delinquents. The Children's Bureau, in the Department of Health, Education, and Welfare, reports 1¼ million youngsters picked up by the police, 435,000 appearing in juvenile courts; over 40,000 committed to training schools for delinquent youth. Juvenile delinquency now exceeds even the greatest peak reached during the last war. Yet, wartime, traditionally, is the time when this social sickness reaches its most acute stage.

In the 5 years from 1948 to 1953, juvenile court cases swelled 45 percent. That fact is enough to give us profound pause. But this is a crucial moment now, not only because of the great number of children who are presently affected, but for this reason:

Our population of teenagers is swelling each year. By 1960 we will have over 6½ million more youngsters 10 to 17 years old, than we had in 1953. If juvenile delinquency continues to mount, as it did between 1948 and 1953, we can be faced with the shocking total of 590,000 delinquent youngsters coming before the court in 1960.

How grievous the situation that confronts us is has been graphically spread before us during the past 15 months by the Judiciary Committee's Subcommittee on Juvenile Delinquency, under the able chairmanship of former Senator Robert C. Hendrickson, and with the fine work of Senators Kefauver, Hennings, and Langer. The subcommittee hearings offer a sorry record of unhappy maladjusted, and destructive children, in rebellion with themselves, their families, or society, and in the wake of their rebellion spreading wreckage, tragedy, or death.

JUDGE COOPER'S COMMENTS ON THE FIRST OFFENDER

Let me quote Judge Irving Ben Cooper, widely renowned chief justice of the Court of Special Sessions of the City of New York, who has devoted some of the most intensive labor conducted almost anywhere in America to the problem of restoring the juvenile offender. He wrote in the October 1954 issue of the Journal of American Judicature Society, as follows, "Youth offenses are the bud stages of criminality."

He then went on to describe very pointedly the problem of the community attitude toward young people in crime, particularly toward the first offender:

"The community's attitude toward youthful offenders, like its treatment of youth generally, is a mixture of soft-heartedness, exasperation, wounded resignation, and sadistic pleasure in punishment. Nowhere is the common failing of acting first and thinking afterward more evident than in our handling of the social significance of youth crimes; that is, of how this traditional state between childhood and young manhood is being bridged. No responsibile authority operates in this field. Once a complaint is issued against the young offender, the good forces about him shrink and evil forces are alerted. Those he has injured are outraged, the parents of susceptible children become fearful, the godly draw their garments around them, the evil minded anxious for social support welcome a convert, the police close in on a quarry."

COMPLEX CAUSES OF CRIME

Now, why is the first offense committed at all?

The answer is that juvenile delinquency is an immensely complex problem, stemming from a wide variety of causes, calling for the application of many different kinds of treatment. Furthermore we are a long way from knowing all that we must know if we are to both treat and prevent such social sickness effectively.

But our experts know vastly more about both treatment and prevention than our States and communities are applying. They are held back from making application of good treatment procedures by not having enough access to expert knowledge; by lack of standards against which to measure their present methods; by great shortages in trained personnel; by insufficient or antiquated facilities; by confusion and lack of coordination amongst the various agencies dealing with the problem.

It is to help our States and communities put into operation the best that is known about the treatment of delinquent youth and to help them improve that "best," that Senator THYE and I are offering this bill.

No longer can the Congress stand aside and say that the struggles that our States and communities are having in coping with juvenile delinquency are no concern of ours.

PRECEDENTS FOR FEDERAL ACTION

Now, it is not new for the Federal Government to involve itself in the solution of the physical and social diseases of our people. For years, we have been helping States and communities treat, control, reduce, and prevent many of these disorders. We have done this with tuberculosis and venerial disease; with the physical handicaps of children and adults. We have helped States and communities clean up their polluted water streams and their milk supplies.

What has been achieved, even in the short time many of these Federal-aid programs have operated, is truly remarkable. States and communities have taken this Federal assistance, and, adding it to their own skills, resources, and enterprise in the way each of them sees appropriate, have translated it into greater health and longer lives for millions of citizens.

This bill extends this cooperative method of working into the field of controlling juvenile delinquency. It assures our States and communities that they will have technical and financial assistance from the Federal Government in extending, improving, and coordinating their programs for the control of juvenile delinquency. It encourages them to relate these to their programs for the prevention of juvenile delinquency.

It may be said by some that this program provides only modest appropriations. It is a fact that these funds, as compared with some of the larger items in the 1956 fiscal year budget, are indeed very modest. The important thing is, however, that they are an historic beginning, a worthwhile beginning. They are of an experimental, pioneering nature. We must achieve experience in applying the various programs now planned by the Department of Health, Education, and Welfare, and then we will be in a position to improve and strengthen these programs.

THE HOME, CHURCH, AND SCHOOL

But the responsibility is not on Uncle Sam or on the States or cities alone. The ultimate responsibility resides in 3 places—the most vital centers of all—the home, the church, the school.

If these fail, then our efforts against youthful crime can hardly hope to succeed. If home, church, and school triumph in building a life of worth and dignity and dedication and character, then the problem of juvenile delinquency will fade.

Now we ask: What is seen and read in the American home? What books, magazines, TV programs?

Of late, there has been a good deal of discussion as to the alleged influence of crime comic books and crime television programs on juvenile delinquency. Fortunately, the comic book industry is now being cleaned up, thanks to the voluntary code being administered by former Judge Murphy. Fortunately, too, we are taking steps to battle pornographic literature—an evil which I for one have long exposed and combatted.

And, in another great area, the responsible television industry is increasingly demonstrating its awareness of the significance of getting across the right type of programs for youngsters, and avoiding the wrong type.

PROPOSED TV PROGRAM ON JUVENILE DELINQUENCY

One might wish, however, that a fraction of the theatrical genius, the time, and the money which have been poured into some of the great TV entertainment shows of recent months could be put into a show combatting juvenile delinquency—an interesting, factual, faithful representation of this human problem.

I am sure that the television industry has more than enough talent and am equally sure that there are ample public-spirited sponsors who would underwrite this type of network project. So I certainly hope that something of this nature will come to pass—not as one-shot documentary but as a continued (and I hope) high-rating series.

While I don't believe that television can be criticized as some people have, in attempting to blame it as one of the sources for youthful crime, still I believe that this can be said: Television has not, as yet, made a fraction of the potential constructive contribution which this great medium can indeed ultimately make toward coping with this problem.

CONCLUSION

I conclude with this thought:

The future of America is the youth of America. We can ill afford to squander this asset. We can ill afford to have youngsters get into trouble today, which they will have cause to regret for the rest of their lives.

We can ill afford to have them become so set in criminal patterns that they will become a liability to society for the rest of their lives.

This Nation cannot afford the cost, direct and indirect, of juvenile delinquency: the broken homes, the broken lives, the wreckage of society.

By a relatively small expenditure at the Federal level, such as is proposed under this act, we will save, I believe, an infinite amount of money; but, most important of all, we will save a great number of lives and avoid an infinite amount of human suffering.

Let the bill pass. Let the Senate Subcommittee on Juvenile Delinquency continue. Let us each carry on in fulfilling our respective responsibilities whenever we are in Congress, in State capitols, in city halls, in homes, in schools, and in the temples of the Lord.

Mr. THYE subsequently said: Mr. President, as in legislative session, I ask unanimous consent that a statement concerning the proposed Juvenile Delinquency Control Act, being a bill which was introduced earlier today by the distinguished senior Senator from Wisconsin [Mr. WILEY]—and I may say I am a cosponsor of the bill—be printed in the body of the RECORD following the introductory statement made by the Senator from Wisconsin at the time when the bill was introduced and sent to the desk.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR THYE

I am happy to join with my colleagues in supporting the President's proposal for establishing a new program of Federal grants to the States to aid them in combating and controlling juvenile delinquency.

This problem of juvenile delinquency has been a deep concern of mine and of the citizens of my State for many years. I think I can say, without immodesty, that Minnesota has been at the forefront in studying the problem, in searching for new approaches to it, in experimenting with new methods, both of prevention and of treatment.

We have made some progress, but we have still far to go.

As Senator WILEY has reported, the number of young delinquents coming before all courts has swelled 45 percent in the past 5 years. I have no comparable figure for our own State, but if offenses by juveniles have followed the trend of all criminal offenses, then our increase in the same period was 36 percent, a somewhat less serious development, but still alarming.

Our Minnesota Youth Conservation Commission has been able to return many delinquent children to their own or to substitute homes for treatment, rather than to institutionalize them. This represents one wholesome development, not only for the youngsters themselves, but also for the taxpayers, since institutional care of delinquent youth is both costly and less effective in the rehabilitation of most of these children. Minnesota was able to save some $700,000 in 6 years in institutional care by the effective use of probation.

Our youth conservation commission is keenly aware that the effectiveness of all services for delinquent youth depends first of all on well qualified professional personnel. We are everlastingly in search for such workers, and everlastingly coming up against the fact that there is a desperate shortage of them, not only in our State but throughout the Nation.

We are conscious, too, in Minnesota, that there are a great many things we do not know about effective methods of prevention and treatment. We feel a great need for a central pool of information on which we can draw; for a greatly stepped-up program of research which can best be done through joint efforts with other States; and for an agency with nationwide experience and knowledge to whom we can look for expert advice and leadership.

In essence, the President's proposal would take a long step toward meeting these needs of ours in Minnesota. If Minnesota can gain from a strengthened program working out from the Federal Government, how much more urgently is this help needed by other States that have been unable to make even the modest progress we have achieved.

The Congress cannot blind itself to the fact that we are concerned here with a problem of national and mounting proportions.

The basic principle behind the President's proposal is simply this: That a problem that is common to all States calls for help from all States. The President's proposal provides the mechanism for such help. Actual treatment of delinquents and the operation of preventive services must, of course, be carried out by States and localities. But the Federal Government can, and must, help States and localities by stimulating the research that they need; by increasing the opportunities for training more workers; by providing consultation services by experts who are widely knowledgeable on what works and what does not work; and finally, by making it financially possible to experiment with new methods and new techniques.

Here is a proposal for a bold new venture which cannot fail to contribute to the well-being of all children while ministering to those whose lives and values have, somehow, already been twisted.

PROPOSED CIVIL RIGHTS LEGISLATION

Mr. HUMPHREY. Mr. President, once again I stand before this great democratic body, the United States Senate, to make a plea for an end to discrimination against Americans because of their race, religion, color, or national origin. Again I join with a distinguished array of my colleagues in asking the Congress for action on a legislative program for human rights.

We are presenting a series of 11 bills in the hope that the Congress will see fit to act on as many of them as can receive support from a majority of this body. In my own personal judgment, we would be striking a blow for freedom all over the world if we could enact even 1 or 2 or 3 parts of this program during the 84th Congress.

I want to make it clear, Mr. President, that my colleagues and I establish no priority system for our proposals that are strong links in the chain of liberty and democratic progress.

These bills are being introduced today and will be referred to the appropriate Senate committees for study. It is our intention to press for hearings on as many of them as possible. It is then our intention to ask the Senate to debate and take up any or all of these proposals which appear to have a majority support in the Senate.

Our program includes the following:

First. A bill to establish equal opportunity in employment.

Second. A bill to establish a Commission on Civil Rights in the Executive Branch of the Government.

Third. A bill to protect persons within the United States against lynching.

Fourth. A bill outlawing the poll tax as a condition of voting in any primary or other election for national officers.

Fifth. A bill to provide relief against certain forms of discrimination in interstate transportation.

Sixth. A bill to strengthen existing civil-rights statutes.

Seventh. A bill to protect the right to political participation and make it a crime to intimidate or coerce or otherwise interfere with a right to vote.

Eighth. A bill to create a joint congressional Committee on Civil Rights.

Ninth. A bill to reorganize the Department of Justice by establishing a Civil Rights Division in the Department under an Assistant Attorney General.

Tenth. A bill to strengthen the current laws with regard to peonage, convict labor, slavery, and involuntary servitude.

Eleventh. The omnibus civil-rights bill to strengthen existing civil-rights statutes.

Joining me in the introduction of some or all of these bills are my following distinguished colleagues: the Senator from Illinois [Mr. DOUGLAS], the Senator from New York [Mr. LEHMAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Michigan [Mr. MCNAMARA], the senior Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the junior Senator from Oregon [Mr. NEUBERGER].

Joining with me in the introduction of the bill to establish equal opportunity in employment are the Senators from New York, the distinguished senior Senator [Mr. IVES], and the distinguished junior Senator [Mr. LEHMAN]. Along with us in a bipartisan demonstration of support for the objective of equal opportunity are the junior Senator from New Jersey [Mr. CASE], the Senator from Illinois [Mr. DOUGLAS], the junior Senator from Pennsylvania [Mr. DUFF], the junior Senator from Massachusetts [Mr. KENNEDY], the Senator from North Dakota [Mr. LANGER], the Senator from Washington [Mr. MAGNUSON], the senior Senator from Pennsylvania [Mr. MARTIN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Connecticut [Mr. PURTELL], the senior Senator from Oregon [Mr. MORSE], the senior Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Montana [Mr. MURRAY], the senior Senator from New Jersey [Mr. SMITH], the Senator from West Virginia [Mr. NEELY], and the junior Senator from Oregon [Mr. NEUBERGER].

Members of the Senate will recall that this bill is the result of hearings held in the 82d Congress by the Senate Subcommittee on Labor and Labor-Management Relations of which I was chairman. During the 82d Congress this bill was known as the Humphrey-Ives bill. During the 83d Congress, it was known as the Ives-Humphrey bill. We are now once again introducing this proposal in the spirit of bipartisanship and in the conviction that we must place the consideration of human rights above partisan politics.

The civil-rights issue has in the past been characterized by conflict and bitterness in this body. We present our proposals with a prayer that the 84th Congress will crystallize and symbolize instead a feeling of good will and brotherhood and consensus in consideration of this vital legislative program.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills introduced by Mr. HUMPHREY (for himself and other Senators) were received, read twice by their titles, and referred as indicated:

S. 899. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Labor and Public Welfare.

S. 900. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

S. 901. A bill outlawing the poll tax as a condition of voting in any primary or other election for national officers; to the Committee on Rules and Administration.

S. 902. A bill to reorganize the Department of Justice for the protection of civil rights;

S. 903. A bill to protect the right to political participation;

S. 904. A bill to strengthen the laws relating to convict labor, peonage, slavery, and involuntary servitude;

S. 905. A bill to amend and supplement existing civil-rights statutes;

S. 906. A bill to establish a Commission on Civil Rights in the Executive Branch of the Government; and

S. 907. A bill to protect the civil rights of individuals by establishing a Commission on Civil Rights in the Executive Branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes; to the Committee on the Judiciary.

Mr. LEHMAN. Mr. President, I am glad, indeed, to be able today to join the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. MAGNUSON], and other Senators in introducing 11 separate legislative proposals whose object is forward movement and progress on the civil-rights front.

I do not think I need to remind my colleagues of my long-standing interest in and advocacy of the cause which would be served by the legislation we are introducing today. I have been working and fighting for the assurance of equal rights to all our citizens for more than half a century.

We have made some progress during the past 30 years. We must make more progress and at a much greater rate of speed.

The legislation introduced today does not purport to accomplish any revolutions. It does not single out for special privilege any group of our people. It represents merely the establishment of legal machinery for the prevention of intolerable injustice to those large groups of our population who are today denied some of the fundamental rights which belong to the status of citizenship in our country and to membership in our national society.

That such injustice and discrimination is permitted to exist without legal machinery and sanctions to prevent it, is intolerable not only to those who are the victims of this injustice and discrimination but to all Americans of good will and to the very conscience of America.

I hope that in the several committees to which these bills will be appropriately referred, prompt attention and consideration will be given so that the Senate, at this session, may have the opportunity to debate and to act upon these measures.

I hope that there will be hearings on all these bills. I hope the public sentiment on these measures may be expressed and that from our deliberations will develop a program of legislative action to which we can proudly point as evidence that we are actively concerned with injustice wherever it is found, both within and outside our borders.

Mr. President, the bills we are introducing today do not represent all the legislation to be introduced on this subject. I, myself, and others of my colleagues, I am sure, will make further proposals in the days ahead.

There is no situation confronting the Congress which more urgently calls for our intense and immediate consideration.

PROHIBITION OF SEGREGATION IN INTERSTATE TRAVEL

Mr. LEHMAN. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON], I introduce, for appropriate reference, a bill to prohibit segregation in interstate travel. Including myself, the bill is cosponsored by the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Michigan [Mr. MCNAMARA], the senior Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the junior Senator from Oregon [Mr. NEUBERGER], and the Senator from Rhode Island [Mr. PASTORE]. I ask unanimous consent that a statement concerning the bill, prepared by the Senator from Washington [Mr. MAGNUSON], be printed at this point in the RECORD, as part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 908) providing relief against certain forms of discrimination in interstate transportation, introduced by Mr. LEHMAN (for Mr. MAGNUSON and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement by Mr. MAGNUSON, presented by Mr. LEHMAN, is as follows:

STATEMENT BY SENATOR MAGNUSON

Today I am introducing a bill to prohibit racial segregation in interstate travel. Joining me in sponsoring this bill are the following: Senators DOUGLAS, Democrat, of Illinois; HUMPHREY, Democrat, of Minnesota; JACKSON, Democrat, of Washington; LEHMAN, Democrat, of New York; MCNAMARA, Democrat, of Michigan; MORSE, Independent, of Oregon; MURRAY, Democrat, of Montana; NEELY, Democrat, of West Virginia; NEUBERGER, Democrat, of Oregon; and PASTORE, Democrat, of Rhode Island.

This legislation will clear up a very confusing pattern on public carriers and facilities connected therewith. Although the courts have consistently held that segregation of passengers in interstate commerce is unlawful, many trains that leave Washington still carry separate colored coaches. A passenger bound for Savannah, Ga., from New York City may board a through train and ride to his destination without segregation. When he makes the return trip, however, he may find that he is forced to ride in a "white" coach if he is a member of the Caucasian race and "colored" coach if he is nonwhite.

On interstate buses colored passengers are required to occupy rear seats in most of the Southern States.

While there is no segregation on airplanes, there is extensive and bewildering segregation in airports. In North Carolina a colored passenger may be required to use a separate rest room. Farther south he may find that he must sit in special chairs while waiting for a plane and on reaching his destination he may find that the airport limousine will not transport him to the city. Instead he must use a special accommodation for colored passengers.

Sometimes these regulations enforcing segregation lead to disputes and the arrest of passengers. One of the famous cases arose in 1953 when Lt. Thomas Williams, a member of the United States Air Force, was jailed in Florida. He was charged with occupying a section of a bus that was for white people. Lieutenant Williams, a colored man, was aboard an interstate bus bound from Florida to Alabama.

The airman was in uniform at the time and had actually started his journey sitting in what he thought was the colored section of the bus. As additional white passengers came aboard the bus operator tried to force the lieutenant to move because "there was too much mixing." The driver pointed out that the bus was in Florida and under the law of that State he could make the officer move.

After some discussion, the driver called a policeman, who placed Lieutenant Williams under arrest. He was jailed and fined. That case is still pending in the Florida courts.

In a hearing on this legislation in 1954 this young man appeared before a House committee and told his story. It is my intention to hold hearings on this legislation at an early date.

I have read the testimony of Lieutenant Williams and I would like nothing better than to have him appear and tell his story to the Senate committee. Unfortunately this will not be possible because about 2 weeks ago this young man was killed in the crash of a jet plane while serving as a member of the New Jersey National Guard.

It would be a fitting thing for the Congress to honor his memory and the memories of thousands of other boys who have died while preparing to defend democracy by permanently forbidding segregation in interstate travel.

TRIENNIAL SUPPLEMENTS TO ANNOTATED CONSTITUTION

Mr. WILEY. Mr. President, I introduce once again for appropriate reference a joint resolution for the publication each 3 years of supplements to the Annotated Constitution of the United States.

Unfortunately, a similar proposal was not acted upon by the Senate Rules Committee in the 83d Congress.

I earnestly trust, however, that this project, which would be so welcome to the American bar, the American bench,

and laymen alike, will receive the approval of the present 84th Congress.

This proposed legislation is introduced to achieve that purpose, together with information which I had requested from the Library of Congress, with regard to (a) the reception which has been accorded to the 1952 edition of the Annotated Constitution—which incidentally had been prepared at my request—and (b) with regard to the probable cost of the proposed supplements.

I ask unanimous consent that the memorandum, prepared by the Library of Congress, be printed in the RECORD in connection with the joint resolution.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The joint resolution (S. J. Res. 34) to prepare triennially a cumulative supplement to the revised edition of the Annotated Constitution of the United States of America as published in 1953 as Senate Document No. 170 of the 82d Congress, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The memorandum presented by Mr. WILEY is as follows:

MEMORANDUM PREPARED BY LIBRARY OF CONGRESS

PERTINENT INFORMATION ON PROPOSED SUPPLEMENTS TO ANNOTATED CONSTITUTION

I. Evidence of public reaction to the publication of the 1952 edition of the Annotated Constitution

The best evidence of popular acceptance, which in fact constitutes an astounding record of sales of a nonfiction book so technical in content, is contained in the statistics compiled by the Procurement Division of the Office of the Superintendent of Public Documents at the Government Printing Office (Code 149, ext. 173, Mr. Murphy).

Within slightly less than 6 months following its release a total of 7,076 copies of the Annotated Constitution were sold; and this volume was attained without benefit of any facilities for publicity and advertising such as are commonly available to commercial booksellers.

Although approximately 450,000 one-page fliers measuring approximately 3'' x 6'' and announcing issuance of the publication were distributed by the Government Printing Office, not a single complimentary copy of the Annotated Constitution was made available to law journals, political science periodicals, or newspapers for review purposes.

As a consequence, professional appraisal of this publication, such as is customarily set forth in book reviews was delayed by almost 1 entire year; but notwithstanding these handicaps, sales of the Annotated Constitution, from October 10, 1953, to January 1, 1955, an interval of slightly less than 15 months, have attained a grand total of 8,930 copies.

Praise-Filled Comments

Comments on the Annotated Constitution received thus far from State court judges, practicing attorneys, constitutional historians, and individuals serving on the staff of Members of Congress uniformly have been expressed in terms of superlatives. By congressional staff personnel we have been advised that the Annotated Constitution is "the most sought after" Government publication which they are currently requested to distribute.

A practicing attorney and a constitutional historian, in almost identical accord, have described the Annotated Constitution as "the most valuable guide now available to an understanding, not only of the legal impact of the Constitution, but of its origin and development as well" and as "clearly the best map yet published [paraphrasing Senator WILEY] 'of the great historical landmarks of constitutional jurisprudence' ".

"By common consent," according to the Chief Justice of the highest appellate court in one State, "it has been agreed that the greatest individual contribution to the law in 1953 is" the Annotated Constitution. "All that one would like to know about American constitutional law and its background, as well as the decisions of the Supreme Court of the United States construing it, is laid open to view in a single volume * * * of attractive format."

To these expressions of unlimited praise the constitutional historian, however appended this note of caution: "The time soon may come when we will not be able to afford the luxury of new editions of such works as this at fairly short intervals, but will be held to supplemental volume instead. With this in mind, the Legislative Reference Service might be well advised to keep careful notes as it makes use of this edition, looking toward the publication of a supplement. With such a supplement it could continue to serve as an excellent basic volume until such time as a completely new revision become imperative."

II. Probable cost of new supplement

With the completion in June 1955 of the present term of the Supreme Court, 3 years will have elapsed since fulfillment of the decision to extend the coverage of the Annotated Constitution to June 30, 1952.

Because of this existing backlog of cases on constitutional law which will have to be examined, it may be more expedient to authorize preparation of a supplement once every 3 years or once every 2 years rather than to require publication annually. Certainly, under present circumstances, the supplements would not be uniform in scope if sought to be prepared on an annual basis, and the aggregate cost of 10 annual supplements issued during the decade between publication of new editions of the Annotated Constitution might well be excessive, especially when compared with the cost of completing the 1952 edition covering a span of 14 years.

On the assumption that one professional staff member and one secretary would be competent to prepare a biennial or a triennial supplement, we estimate the cost in salary of preparing each issue would not exceed $15,000. It would be less, if the volume of decisions was relatively small. This would include provision for the necessary additional Legislative Reference Service staff and a consultant fee for Dr. Corwin, or someone of comparable stature.

DESIGNATION OF JANUARY 30 OF EACH YEAR AS A LEGAL HOLIDAY COMMEMORATING BIRTH OF FRANKLIN D. ROOSEVELT

Mr. LEHMAN. Mr. President, Sunday, January 30, marked the 73d anniversary of the birth of the 31st President of the United States, Franklin D. Roosevelt. It is 10 years now since his death. While he was President his birthday was observed by many of his fellow citizens. It came to be a sort of national observance, although without official auspices. By his wish these celebrations became fund-raising events to combat the dread disease of poliomyelitis. The March of Dimes, which is currently being conducted in behalf of the fight against polio, still remains, for those of us who remember, a memorial to our late, great, beloved President.

His monumental achievements grow in the perspective of time. The mighty changes he helped to bring about in America have withstood not only the tests and shocks of war and world crisis but also a change in administration.

He saved this country and he saved the world from the totalitarian threat of his day. He led us to victory over the forces of evil. He presided over the greatest expansion in our productive might this Nation or any nation has ever known. He banished fear from our midst, giving us new hope and confidence in the future of America.

We have need of that spirit today. We have need of it whether we are Democrats or Republicans.

The party which is today in control of the executive branch of the Government, which fought him so bitterly while he lived and opposed all the programs he advocated, has ceased even to speak about repealing them. These programs and principles have become part of the structure and substance of the American way of life, permanently built into the institutions of our Government.

Mr. President, it would seem altogether fitting and proper that we give national recognition to the memory of this man—not as a hero of the Democratic Party but as a hero of America.

Mr. President, I believe that the American people, without regard to party, couple the name of Franklin D. Roosevelt with those of George Washington and Abraham Lincoln as saviors of our union and our freedom.

The Congress should take suitable action to recognize this sentiment.

Mr. President, I introduce for appropriate reference a joint resolution proposing that January 30 of each year be made a legal public holiday in commemoration of the birth of Franklin D. Roosevelt.

I hope that Members of the Senate, irrespective of party, will join in approving this resolution and in commemorating this historic man, this architect of free world unity and symbol of hope, faith, and courage—Franklin D. Roosevelt.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 35) making January 30 of each year a legal public holiday in commemoration of the birth of Franklin Delano Roosevelt, introduced by Mr. LEHMAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

PRESERVATION OF ROCK CREEK PARK

Mr. MURRAY. Mr. President, on behalf of myself, the Senator from Idaho [Mr. DWORSHAK], the Senator from Nevada [Mr. MALONE], and the Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a joint resolution for the preservation of Rock Creek Park. The proposed legislation is designed to prevent what is described as a threat to Rock Creek Park in the greater National Capital area. I ask

unanimous consent that a statement prepared by me, and a letter written by Hon. Louis Cramton, author of the Capper-Cramton Act of 1930, relating to the joint resolution, be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the statement and letter will be printed in the RECORD.

The joint resolution (S. J. Res. 36) for the preservation of Rock Creek Park, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement presented by Mr. MURRAY is as follows:

STATEMENT BY SENATOR MURRAY

Mr. President, I send forward for appropriate reference a joint resolution, which I am sponsoring on my own behalf and that of the senior Senator from Idaho [Mr. DWORSHAK], the senior Senator from Nevada [Mr. MALONE], and the junior Senator from Oregon [Mr. NEUBERGER], to prevent what has been described to us as a threat to Rock Creek Park in the Greater National Capital area.

Mr. President, as I am sure all the Members of the Senate are aware, the Senate Committee on Interior and Insular Affairs, of which I am chairman, has responsibility for legislation affecting the National Park System. Rock Creek Park here in Washington is a part of the National Park System, and the Federal Government also has certain direct responsibilities for the park areas situated in Maryland.

In the 83d Congress, the then chairman of the committee, former Senator Guy Cordon, of Oregon, called the committee's attention to the proposed extension of certain Maryland highways through Rock Creek Park. At least one of the plans envisioned the creation of a new six-lane speedway through Rock Creek Park. This modern superspeed highway, while bearing the name of a "parkway," would of course destroy, in its area of the park, the scenic and recreational purposes for which the park was intended.

The Interior Committee authorized its then chairman to make inquiry into this situation. The 83d Congress recessed before the inquiry could be completed. However, reports that Senator Cordon received indicate that the threat to the park may be very real indeed.

I do not wish to express a definite opinion on this matter before the evidence is in. However, in order that we may receive such evidence, the distinguished members of the minority have joined with the junior Senator from Oregon and myself in introducing this resolution.

Mr. President, I ask that a brief history of Rock Creek Park legislation, and a letter from the Honorable Louis Cramton, one of the authors of the Capper-Cramton Act, be published in the RECORD at this point. The Capper-Cramton Act is the legislation which established Rock Creek Park in its present form.

The intent of this resolution is to afford hearings and study such as will enable Congress to determine the sufficiency or inadequacy of existing law to preserve Rock Creek Park against encroachment of its seeming dedicated purposes.

Each year Congress is confronted with requests for authorization and appropriation of more money with which to acquire additional park and recreation areas in fast-growing metropolitan Washington. We have honored these requests from time to time, fully realizing that the growing population of our National Capital City quite naturally warranted additional recreation acres. And each time we have need to be wishful that Congress might have been able to better visualize the future needs of this city back in the days when lands could be acquired for so little as compared with present-day values.

We hardly dare criticize earlier Congresses, however, for there was great vision exercised back in 1890 when Congress made possible the creation and continued existence of Rock Creek Park, a preservation of magnificent natural resource unrivaled by similar possession of any other great city in the world. This action by Congress more than 60 years ago gave us, as a park and recreation area, all of Rock Creek valley reaching from the National Zoo to the north District line.

Again, another Congress, back in 1930, entertained splendid vision of future needs, when, observing the increasing use and need of recreation facilities by the growing city, passed what is known as the Capper-Cramton Act. This act, along with the appropriation of Federal funds, made possible the acquisition of many additional miles of the valley of Rock Creek reaching into Maryland from the north end of the original Rock Creek Park. This became known as Rock Creek Park Extended. Some of the finest residential subdivisions in metropolitan Washington have been developed along each side of Rock Creek Park. These extended acres of Rock Creek Park, were they still in private possession, could not be purchased today for 100 times the cost that was involved when the ground was acquired 20 years ago.

Congress could not wisely deny the use of Rock Creek Park for crossings by commercial highways. Many crossings already exist and more will doubtless be needed. But Congress ought to give most serious consideration to the challenge which now prevails in the form of plans which would let expressways and speedways (in this modern day sometimes called parkways) not just cross the park but run through it lengthwise. That challenge allegedly exists at this time with respect to the reaches of Rock Creek Park both in the District and in Maryland.

Hearings which the Interior Affairs Committee will probably hold on the subject of the joint resolution just offered should develop whether there is want or need for legislation governing the uses and purposes of Rock Creek Park. In the meantime I have given expression to the wish that all planning and highway authorities refrain from any action that could in any wise alter the present status of Rock Creek Park until such time as Congress shall have had opportunity to consider the subject and prospect from every angle.

The letter presented by Mr. MURRAY is as follows:

WASHINGTON, D. C., *June 8, 1954.*

NATIONAL CAPITAL PLANNING COMMISSION,
DEPARTMENT OF THE INTERIOR,
Washington, D. C.

GENTLEMEN: As a citizen of the United States, I am very deeply concerned by reason of the reported possibility of extensive superspeed highway encroachments upon Rock Creek Park in the District of Columbia, and the extension thereof into Maryland.

While I was a Member of Congress, I had a part in the drafting an enactment into law of what is now commonly known as the Capper-Cramton Act of May 29, 1930.

That act dealt generally with park, parkway, and playground problems in the National Capital and its environs.

I am advised that highway authorities of Maryland seeking to connect their extensive highway development with downtown Washington are seeking the construction of a 4-lane or 6-lane highway through the valley of Rock Creek Park to accomplish that purpose.

This appears to me to be a virtual desecration of the scenic and recreation values of that park to the most extensive possible highway use.

Rock Creek Park as it existed in the District of Columbia when I came to Washington 40 years ago impressed me with all its natural beauty and seclusion as an ideal breathing spot in the Capital of the Nation. When one came to the District line it was very apparent that the charm and scenic values of the valley continued into Maryland.

At the time the Capper-Cramton law was proposed, your Commission was greatly disturbed about the possible pollution and destruction of Rock Creek by reason of rapid developments of resident sections in Maryland, "the cutting down of trees and the installation of artificial drainage" were diminishing the sources of Rock Creek and the very creek might cease to exist.

When we were drafting that bill we were seeking the preservation and proper utilization of the great scenic advantages of our National Capital and we realized that, with the constant development of this Nation, its Capital would need to extend far outside the very limited District of Columbia lines.

To save for the Nation in its greatest value Rock Creek Park, we then proposed Federal and Maryland cooperation that would extend the Rock Creek Park values for miles into Maryland. We had the very fullest cooperation of Maryland authorities at that time, including Governor Ritchie. The extension was authorized, and the result was the wonderful Rock Creek Park of today extending for miles into Maryland.

All of this was park planning, not setting aside a great valley as a possible site for a 4-, 6-, or 12-lane highway. And to open that valley today in any part of it to such superhighway use opens the door wide to ultimate destruction of the most beautiful park any capital city enjoys. There is an attempt in some quarters to call this wonderful park area a parkway. And when they do that they put all the emphasis on the second syllable and would have it become "way," dropping all emphasis on "park." It is not a parkway, and was never intended to be a parkway. In the days of Theodore Roosevelt, Rock Creek became world famous as a park. The Capper-Cramton law says nothing about extending a parkway. It does propose and does extend that great park for many miles not as an avenue by easy vehicle approach to a city that already has more street traffic than it can endure.

I, therefore, appeal to your Commission to close the door with definiteness to any alluring proposals that involve preeminence of highway use in any part of this park. Highways, of course, were to be permitted, but only as necessary incidents to public use of these delightful areas. Pending proposals would reverse the situation and make highway use preeminent and any recreation use only incidental.

It is because of my very deep interest in this great scenic asset in which the whole Nation takes pride that I venture to bring to your attention these thoughts that surrounded the beginnings of the Capper-Cramton Act.

With best wishes for your continued success in preserving and developing the beauties of the National Capital, I am,

Yours sincerely,

LOUIS C. CRAMTON.

PROPOSED INDIAN LEGISLATION—DISCHARGE OF A COMMITTEE—REFERENCE OF BILLS

Mr. KILGORE. Mr. President, on January 6 there were referred to the

Committee on the Judiciary S. 27, relative to the jurisdiction over criminal offenses or civil actions committed or arising on Indian reservations, and S. 51, to amend the act entitled "To confer jurisdiction on the States of California, Minnesota, Nebraska, Oregon, and Wisconsin, with respect to criminal offenses and civil causes of action committed or arising on Indian reservations within such States, and for other purposes."

At a meeting of the full committee on January 31, I was authorized to ask unanimous consent to have the Committee on the Judiciary discharged from the further consideration of these two bills and that they be referred to the Committee on Interior and Insular Affairs.

Mr. President, I therefore ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 27 and S. 51 and that they be referred to the Committee on Interior and Insular Affairs.

The VICE PRESIDENT. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

JOINT COMMITTEE ON CIVIL RIGHTS

Mr. HUMPHREY (for himself, Mr. DOUGLAS, Mr. LEHMAN, Mr. MCNAMARA, Mr. LANGER, Mr. MAGNUSON, Mr. MORSE, Mr. MURRAY, Mr. NEELY, and Mr. NEUBERGER) submitted the following concurrent resolution (S. Con. Res. 8), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That there is established a Joint Committee on Civil Rights (hereinafter called the "joint committee"), to be composed of 7 Members of the Senate, to be appointed by the President of the Senate, and 7 Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

SEC. 2. It shall be the function of the joint committee to make a continuing study of matters relating to civil rights, including the rights, privileges, and immunities secured and protected by the Constitution and laws of the United States; to study means of improving respect for and enforcement of civil rights; and to advise with the several committees of the Congress dealing with legislation relating to civil rights.

SEC. 3. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

SEC. 4. The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony, as it deems advisable. The provisions of sections 102 to 104, inclusive, of the Revised Statutes, as amended (2 U. S. C. 192, 193, 194), shall apply in case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this section. Within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistance, to procure such printing and binding, and to make such expenditures as, in its discretion, it deems necessary and advisable. The cost of stenographic services to report hearings of the Joint Committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words.

SEC. 5. Funds appropriated to the joint committee shall be disbursed by the Secretary of the Senate on vouchers signed by the chairman and vice chairman.

SEC. 6. The joint committee may constitute such advisory committees and may consult with such representatives of State and local governments and private organizations as it deems advisable.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Iowa:

Address delivered by him at a luncheon meeting of the Panama Canal Society of Washington, D. C., on January 29, 1955.

Obituary on the late Representative Willis W. Bradley, published in the New York Times of Sunday, August 29, 1954.

By Mr. PAYNE:

Statement prepared by him and three editorials with reference to the death of Prof. Robert Peter Tristram Coffin.

NOTICE OF HEARING ON SENATE CONCURRENT RESOLUTIONS 4 AND 5, RELATIVE TO PROPOSED ANNUAL ADDRESS BY THE CHIEF JUSTICE OF THE UNITED STATES ON THE STATE OF THE JUDICIARY

Mr. KEFAUVER. Mr. President, on behalf of a subcommittee of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, February 4, 1955, beginning at 10 a. m., in room 424, Senate Office Building, on Senate concurrent resolutions 4 and 5, relative to the proposed annual address by the Chief Justice of the United States on the state of the Judiciary. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent. The subcommittee consists of myself, chairman; the Senator from West Virginia [Mr. KILGORE]; the Senator from Texas [Mr. DANIEL]; the Senator from Utah [Mr. WATKINS], and the Senator from Idaho [Mr. WELKER].

THE NEW TREASURY 40-YEAR BOND

Mr. BUSH. Mr. President, I wish to compliment the Treasury upon its offering of a 40-year 3-percent bond last Thursday. It marks an important step forward in lengthening the maturity structure of the public debt and reducing the dependence of the Treasury on short-term financing.

The new 40-year issue is the longest term bond which has been offered by the Treasury since 1911, when 50-year 3-percent bonds were issued to help finance the construction of the Panama Canal. The new bond is being offered on an exchange basis to the holders of maturing 2⅞ percent bonds which were issued 20 years ago—an issue which, in turn, refunded a large part of the Fourth Liberty Loan bonds, issued in World War I.

The 1995 maturity date on the new Treasury offering was selected so that the issue would have its greatest appeal to genuine long-term investors, such as pension and other trust funds, insurance companies, and endowment funds.

The decision to offer a long-term bond was made after a careful survey convinced the Treasury that a real investment need existed for such an issue, and that it could be sold without any adverse effect on the Nation's economy. The decision reflects confidence in the basic strength of the present sustained business growth. It was made after full consultation with Federal Reserve authorities.

This is only the second time since World War II that the Treasury has issued long-term marketable bonds. Up to now, the 3¼s of 1983 have been the only issue of Government bonds outstanding beyond 1972, and demand for a new issue has been growing. The new 40-year bond will provide in the long-term market a much-needed supply of bonds which can be absorbed by the people who want them. It will result in a more normal market environment, and the investor will now have a better choice between Government securities and mortgages or stock-exchange securities. The investor is entitled to a little freer choice, and this bond issue gives it to him. Up to date, he has been somewhat restricted, simply because not enough long-term Government bonds were available.

The 3 percent rate on the 40-year bond represents a reasonable interest cost to the Treasury, and is a rate that is squarely in line with going interest rates. The free capital market operated to set a rate of 3 percent on this issue in the same way that market conditions at the time set the rate on the 30-year 3¼ percent bond when it was sold in 1953. There was no rigging of the market by the Federal Reserve System.

During the last year, both Canada and Great Britain issued bonds at higher rates than that of the new Treasury issue. Last summer, Great Britain put out a 3½ percent issue due in 2004, and last fall Canada issued a 3¼ percent bond due in 1979.

The decision to offer the new bond in exchange for the maturing 2⅞ percent bonds means that the free market can itself determine the amount of long-term bonds to be issued in relation to investor need. The top limit on the new bonds will be $2.6 billion, therefore, since that is the total amount of the maturing issue. It should also be mentioned that income from the maturing 2⅞ percent bonds is partially tax-exempt, so their refunding into 3 percent fully taxable bonds will represent a considerable saving to the Treasury.

STATUS OF UNITED STATES SHIPBUILDING INDUSTRY AND MERCHANT MARINE

Mr. PAYNE. Mr. President, on January 26, 1955, the Associated Press carried a dispatch from London, reporting that the United States has dropped to 12th place among the commercial shipbuilding nations of the world. Great Britain, Germany, Netherlands, France, Sweden, Japan, Italy, Norway, Spain, Denmark, and Belgium all surpass the United States. Our shipbuilding industry and our merchant marine are vital to the commerce and defense of our Nation. Their present status should be a matter of concern to every citizen.

I ask unanimous consent that a copy of this Associated Press story be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHIPBUILDING IN UNITED STATES TAKES DRASTIC DROP—WITH ONLY 99,568 TONS ON WAYS, NATION IS 12TH COMMERCIALLY

LONDON, January 26.—The United States, with only 99,568 tons of merchant shipping on the ways, has dropped to 12th place among the shipbuilding nations of the world.

This was disclosed today by Lloyds Register of Shipping in its report for the last quarter of 1954.

Of all nations, Lloyds said, the American shipbuilding industry showed the largest decrease.

BRITISH YARDS GAIN

On the other hand, British shipbuilding yards touched their busiest point since World War II.

On December 31 British yards were building 327 merchant ships of 2,140,752 tons gross, or 36.57 percent of the world's new tonnage. This was a gain of 82,295 tons over the previous quarter.

Germany improved its position as the second-ranking shipbuilding country with 772,012 tons, or 13.19 percent of the world total, under construction in the last quarter. This was a gain of 103,258 tons over the 3 previous months.

RANKINGS LISTED

The following table shows how the nations ranked as of December 31, 1954:

	Number of ships	Gross tons
Great Britain and Northern Ireland	327	2,140,752
Germany	204	772,012
Netherlands	136	529,679
France	55	449,096
Sweden	65	433,191
Japan	47	195,189
Italy	42	195,189
Norway	54	194,408
Spain	62	186,817
Denmark	30	130,533
Belgium	17	110,868
United States	15	99,568
Other nations	115	235,569
Total	1,169	5,854,247

NOTE.—No figures were available for Soviet countries.

THE AMERICAN MARITIME INDUSTRY

Mr. BUTLER. Mr. President, on November 5, 1954, I addressed a communication to the Honorable Sinclair Weeks, Secretary of Commerce, inquiring as to his Department's contemplated program of legislation in the interest of the American maritime industry. On November 23, 1954, Mr. Weeks replied, and outlined a tentative program which revealed a most understanding and sympathetic attitude toward this strategic phase of our economy.

I ask unanimous consent that these two letters be printed in the body of the RECORD, as legislative background for any and all efforts on behalf of the merchant marine and shipbuilding and repair industry.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NOVEMBER 5, 1954.

Hon. SINCLAIR WEEKS,
The Secretary of Commerce,
Department of Commerce,
Washington, D. C.

DEAR MR. SECRETARY: Due in large measure to the initiative and support of your Department, especially as embodied in the Maritime Subsidy Policy Report, we were able during the last session to solve legislatively many of the most pressing merchant-marine problems. However, as you so well know, a great deal remains to be done.

In his message to Congress on the report of the Commission on Foreign Economic Policy, President Eisenhower stated that specific legislation based on the Maritime Subsidy Policy Report's findings and recommendations would be developed for transmission to Congress in the 1955 session. In the same vein, your able Under Secretary of Commerce for Transportation, Mr. Robert B. Murray, Jr., while addressing the New York Propeller Club on October 27, 1954, stated that your Department plans to have a number or recommendations ready for Congress when it returns next year.

Accordingly, I am writing you today to request information concerning the maritime measures you plan to sponsor. Armed with this knowledge, our Water Transportation Subcommittee will be fully prepared to aid in advancing promptly all proposals which will serve to stabilize and strengthen our merchant marine.

Among the matters most in need of prompt legislative action, as I see it, are the following:

1. Reactivation of the ship-construction revolving fund:

Section 206 of the Merchant Marine Act of 1936 authorized the establishment of a revolving fund for the financing of vessels to replace obsolete units. In recent years operation of this fund has been discontinued under provisos of the Commerce Department's appropriation bills.

The revolving fund must be reactivated if we are to achieve the desired goal of orderly replacement of our merchant fleet. I am convinced that it is possible to draft statutory language which will reactivate the fund without affronting any of the other interested Government agencies or congressional committees.

2. Replenishment of the ship construction revolving fund.

To reactivate the revolving fund without replenishing it would be meaningless. Therefore we must enact legislation which will authorize deposits to be made in the fund from the following sources:

(a) Construction subsidy appropriations.

(b) Receipts to the Government from sale of Government-held mortgages on merchant ships.

(c) Interest and principal on Government ship mortgages.

(d) Receipts from sale and charter of Government-owned vessels.

It seems to me that consideration should be given to drafting a single bill for the twofold purpose of reactivating the revolving fund and replenishing it in each of the four ways described above.

3. Nonsubsidized operators to be authorized to place vessel earnings in a special reserve construction fund on a tax deferred basis.

Under the present law only subsidized vessel operators have the privilege of placing a certain portion of vessel earnings in a special reserve fund on a tax deferred basis if used for new vessel construction. In order to offer sufficient encouragement to those who might be expected to construct ships in American yards, it appears essential for similar benefits to be extended to nonsubsidized operators.

4. Permission to accelerate depreciation of new vessels.

As recommended in the Maritime Subsidy Policy Report, legislation should be enacted to provide that any vessel contracted for after July 1, 1954, and delivered prior to January 1, 1962, may be depreciated on a 20-year basis. Owners of such vessels should be authorized to take additional depreciation on them, on a sliding scale basis as follows:

(a) An amount not to exceed 3 percent each year if the ship is delivered before January 1, 1962; and

(b) If in connection with such construction a vessel of less than 20 years is traded in, pursuant to section 510 of the act, an additional one-half of 1 percent per year depreciation should be allowed for each year the vessel is less than 20 years old. Such depreciation should be used in the year taken to reduce the unpaid balance of any mortgage outstanding against the vessel and subsidized operators should be required to deposit such depreciation in their statutory reserve funds.

5. Certain tramp operators should be granted operating subsidy aid to place them in parity with foreign competitors.

This, too, coincides with a recommendation contained in the Maritime Subsidy Policy Report. As that report said:

"Such aid should be subject to the development of an administratively feasible program and be granted only if: (1) The operator replaces or agrees to replace existing tramp ships in a manner which will assist the achievement of the construction program required for national defense; and (2) the other segments of the United States-flag fleet would not be adversely affected."

In this connection, I have noted growing concern over the mounting number of foreign transfers of American-flag vessels. No, one is more cognizant than I of the dilemma which confronts the Maritime Administrator when he considers such applications. To approve the request for permission to go foreign; or to disapprove and force the vessel to be laid up—that, it seems to me, is often the enigma. Therefore, subsidy aid to certain tramp operators, conditioned with appropriate safeguards, seems essential.

6. Determination of construction differential subsidies should be simplified.

In order to avoid a repetition of that which culminated in the recently settled Court of Claims case, *United States Lines* v. *United States*; and in order to expedite and simplify the determination of construction differential subsidies, legislation to accomplish one of the following purposes, enumerated by Mr. Murray in his recent New York speech, probably should be enacted:

(a) determination of construction subsidy rates by major types of vessels,

(b) audit of construction subsidy rates approved by the Federal Maritime Board prior to the use of such rates, or

(c) clarification of language in existing statutes.

However, I hasten to qualify this recommendation with the suggestion that we should move cautiously in this legislative area lest we seriously impede the prompt and effective determination of construction subsidies for Grace, Moore-McCormack, American President Lines, and the Oceanic Steamship Co.

Undoubtedly there are other measures which should be enacted. We will have to appropriate additional funds in order to complete the job we started when we passed the emergency ship-repair bill.

Then, too, I am convinced that we must be prepared to take certain bold steps to prevent domestic shipping, especially that which is noncontiguous, from total destruction. The Alaska Steamship Co.'s abandonment of its passenger service after approximately 60 years of continuous operation, was the most recent in a long series of depressing developments in this field. Perhaps construction subsidy for noncontiguous operators might be in order.

A program similar to the "trade in and build tanker" program might be initiated for dry-cargo vessels.

Once I am informed of the maritime measures your Department plans to recommend when Congress reconvenes, I will seek to avoid duplication of drafting effort by concentrating on those which you do not plan to sponsor. Thus we should be able to get a sound and well-planned legislative program underway promptly on January 5, 1955.

Sincerely yours,

JOHN MARSHALL BUTLER,
Chairman, Subcommittee on Water Transportation.

THE SECRETARY OF COMMERCE,
Washington, November 23, 1954.

Hon. JOHN MARSHALL BUTLER,
Chairman, Subcommittee on Water Transportation, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to your letter of November 5, 1954, requesting information concerning maritime measures the Department of Commerce plans to sponsor in the next session of Congress. I agree that while legislation enacted in the last session of Congress solved a number of the most pressing merchant-marine matters, some additional action is required.

We have submitted to the Bureau of the Budget for their consideration the following proposals:

1. Reactivation of the ship construction revolving fund, by authorizing deposits in that fund of appropriations and certain receipts from mortgages and the sale and charter of Government vessels.

2. Authorization of sale of Government ship mortgages, the receipts of which would be deposited in the revolving fund.

3. Authorization for nonsubsidized operators to place vessel earnings in a construction fund on a tax-deferred basis.

4. Specific authority to do experimental and developmental work on merchant ships and devices, including the operation of such ships.

5. Authorization for a uniform sales price for mariner ships. While there exists the possibility that a uniform sales price can be provided administratively, legislation may be required.

6. Authorization for the Government to accept dry-cargo vessels 10 years of age or more for an allowance against the construction of new vessels.

7. Authorization and appropriations for the completion of the reserve fleet repair program.

8. Permanent authorization to provide marine war-risk insurance under title XII of the Merchant Marine Act, 1936, as amended. (Present authority terminates in 1955.)

In addition to the above measures, we have under consideration a number of other maritime matters which may require legislative action. These include:

1. Authorization of accelerated depreciation on new merchant vessels. In view of the provisions of the recently enacted tax law, Public Law 591, dealing with depreciation allowances, further study should be given to this proposal.

2. Assistance to operators of tramp vessels. The Department has under study the assistance now provided tramp vessels under cargo preference laws and the possible substitution therefor of other types of aid.

3. Procedure for the determination of construction-differential subsidy. Based on its recent experience in the matter of determining construction subsidy for the *Mariner*-type vessels, the Federal Maritime Board believes that under the present procedures the subsidy determination can promptly and effectively be made in connection with all pending subsidy applications. We do not believe, however, the matter is one which requires the immediate attention of Congress.

As you know, under established procedures, the determination as to those proposals which actually will be presented to Congress is a joint matter between the Bureau of the Budget and the Departments concerned. I assure you that as soon as a final determination is reached on the measures to be recommended to Congress, I will be pleased to inform you.

I personally convey my appreciation to you and other members of the committee for your efforts during the last session of Congress, without which the legislative accomplishments in the maritime field would not have been possible. I appreciate your comments with respect to the part played by the Department of Commerce.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

FINANCIAL PROTECTION IN OLD AGE

Mr. NEUBERGER. Mr. President, the desire for economic protection in later years is one of the main concerns to millions of Americans.

On January 18, 1955, I introduced a bill to lower the social-security retirement age for women from 65 years of age to 60.

On January 21, 1955, an identical bill was introduced by the distinguished senior Senator from Wisconsin [Mr. WILEY].

I am proud and pleased that the cosponsors of my bill include the senior Senator from Oregon [Mr. MORSE], the junior Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Alabama [Mr. HILL], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Montana [Mr. MANSFIELD], the junior Senator from Michigan [Mr. MCNAMARA], the junior Senator from Alabama [Mr. SPARKMAN], the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Washington [Mr. JACKSON], and the senior Senator from Montana [Mr. MURRAY].

Despite this widespread support for my proposal, I was attacked for fuzzy thinking and personal acceptance of the Socialist state by a member of the Oregon State Legislature on January 27, because of this bill reducing the social security qualifying age for women to 60 years.

In his verbal attack upon me, my critic made what seems to me an incredible statement. He said that "the benefit at retirement is sufficient only to insure society against the people."

This, of course, is an insult to those countless Americans of both sexes who are paying out of their wages into the social-security retirement fund, so that they and their loved ones may have some financial protection when old age is reached.

My critic even accused me of being ignorant of the social-security law because I favor reducing the qualifying age for women from 65 to 60. Evidently my critic does not know that Arthur J. Altmeyer, one of the founders of the social-security system and pioneer director of the program, advocated this reform as early as 1949. Is Mr. Altmeyer ignorant of the law which he administered for many years?

Inasmuch as my critic's letter is symbolic of that reactionary viewpoint which would wipe out safeguards for American working people and would turn back the clock to the era of the poorhouse, I ask unanimous consent that the letter criticizing me, written by State Senator John C. F. Merrifield, of Oregon, be printed in the body of the RECORD along with my reply, under date of January 29, 1955. I also ask that my bill, S. 521, appear along with the letters.

There being no objection, the letters and the bill (S. 521) to amend title II of the Social Security Act so as to reduce from 65 to 60 years the age at which women may qualify for old-age and survivors insurance were ordered to be printed in the RECORD, as follows:

JANUARY 27, 1955.

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: Your proposal to lower the social security age for women from age 65 to 60 should be popular with some folks. However, the cost of such a program when weighed against the benefits is rather startling. The increase in cost for women would be approximately 25.1 percent, while there would be additional charges applied against the cost for males to care for their female beneficiaries. A woman age 60 has a life expectancy of 14½ years and among female annuitants this expectancy is increased by another 5 years over the men. It is also interesting to note that the average retirement age for males, according to old-age and survivors' insurance records, is 69.

Apparently you have never taken the time to study the old-age and survivors' insurance law or you would know that the concept is to primarily provide death benefits for dependent mothers who are left with children under age 18 while the benefit at retirement is sufficient only to insure society against the people. Your statement that it requires benefits for both husband and wife to assure a decent standard of living indicates further your complete lack of understanding of the purposes of social security.

According to your expressions, you would have social security provide for old age needs and remove the individual initiative and incentive to provide through savings and investments for one's own retirement.

How do you think the 70 millions of life insurance policyholders in this country will regard your proposal? Every life-insurance policyholder in the United States should take cognizance of your position which would increase the tax on all for the primary benefit of those who make no attempt to care for themselves.

You are completely inconsistent because you first indicate your primary reason for reducing the age of women to 60 is to match them up with husbands age 65. Then, later on, you indicate that eventually you would reduce both men and women to age 60, but you think it practical legislatively to make the reduction for women only at this par-

ticular time. One can only assume on that basis that, once you had both men and women down to age 60, you would then seek to start all over again and reduce women to 55 so that once again you would have them matched up with their husbands.

It is disappointing that your first bill as our freshman Senator should represent such fuzzy thinking and an expression on your part that our citizens should approve of your further actions in a personal acceptance of the socialist state.

Most of America's millions recognize we became the greatest country on the face of the earth by individual initiative and learning early in life to save and provide for emergencies and our own old age.

It is, indeed, regrettable that you, in these days when world freedom is at stake basically because of a lack of initiative, should propose greater paternalism in our Federal Government.

Very truly yours,

JOHN MERRIFIELD,
State Senator.

JANUARY 29, 1955.

The Honorable JOHN C. F. MERRIFIELD,
Senate Chamber, Salem, Oreg.

DEAR SENATOR MERRIFIELD: I have received your intemperate letter of January 27, accusing me of "fuzzy thinking" and "personal acceptance of the socialist state" because I introduced a bill in the United States Senate on January 18 proposing to lower the social security qualifying age for women from 65 years to 60.

It is regrettable that you have allowed your own obvious vindictiveness to enter what should be a major legislative discussion. As for your charge of "socialism," let me point out that, on January 21, 3 days after I introduced my bill, Senator ALEXANDER WILEY, of Wisconsin, second-ranking Republican in the Senate, introduced a bill identical to mine.

Do you likewise regard Senator WILEY as guilty of "socialism" and "fuzzy thinking"?

I do not agree that the proposal to reduce the qualifying age for women is contrary to the purposes of the Social Security Act. Indeed, Arthur J. Altmeyer, one of the pioneer authors of the social-security bill and its chief administrator for many years, recommended as early as 1949 that "women should be eligible for benefits at age 60. Wives are generally a few years younger than their husbands. Requiring a wife to be age 65 before her benefits can be paid means that only one-fifth of the married men who retire at age 65 have families immediately eligible for wife's benefits. Some families must, therefore, live on very inadequate benefits for several years until the wife is eligible * * *."

Do you also regard Mr. Altmeyer as guilty of "a complete lack of understanding of the Social Security Act"?

It is hardly possible to believe that you—a State legislator in the 20th century—could really mean that retirement benefits exist "only to insure society against the people." And I emphatically challenge your statement that my proposal "would increase the tax on all for the primary benefit of those who make no attempt to care for themselves." This misstatement of yours is an insult to the millions of hard-working Americans, who contribute regularly from their salary checks toward social-security benefits as an earned measure of support in retirement.

During the recent political campaign of 1954, President Eisenhower cited expansion of social-security payments as one of the great achievements of his administration. Do you think this program of the President's was thought to be "for the primary benefit of those who make no attempt to care for themselves"?

In my opinion, social security is one of the great advances of our era. It represents a long stride upward from the poorhouse and potter's field. It assures working men and women a decent and dignified way of life in their later years.

I shall do all in my power as a Member of the United States Senate to expand and promote social security in a sound and orderly manner. Let me call your attention to the fact that the lowered age requirements for women would necessitate an additional payroll deduction of 1 percent, as I pointed out in submitting my bill. I further made clear that both of our largest trade-union organizations, the American Federation of Labor, and Congress of Industrial Organizations, had announced publicly that their members were "ready and willing to assume this cost." The additional levy would fall one-half of 1 percent on workers and the other one-half of 1 percent on management.

I am glad you wrote to me about this important problem. I regret, of course, that you felt impelled to phrase your letter in intemperate and accusatory terms.

Very truly yours,

RICHARD L. NEUBERGER,
United States Senator.

BILL INTRODUCED JANUARY 18, 1955, BY SENATOR NEUBERGER (FOR HIMSELF AND OTHER SENATORS)

S. 521

Be it enacted, etc., That subsection (a) of section 216 of the Social Security Act is amended to read as follows:

"RETIREMENT AGE

"(a) The term 'retirement age' means age 65 in the case of men and age 60 in the case of women."

SEC. 2. The amendment made by the first section of this act shall be applicable in the case of monthly benefits under title II of the Social Security Act for any month after, and in the case of lump-sum death payments thereunder with respect to deaths occurring after, the month in which this act is enacted.

THE PRICE OF EGGS

Mr. LANGER. Mr. President, once again I desire to invite the attention of my colleagues to the low price of eggs. I have received a letter from a lady named Mrs. Floyd Steele, of Edmunds, N. Dak. She writes as follows:

DEAR SENATOR LANGER: I am writing again concerning the price of eggs. I do believe something should be done to keep the price of eggs and chickens up so a farmer don't have to lose on them. I do believe this poem I've composed will pretty well sum up how all the farmers' wives feel about a support price on eggs.

I wrote you in 1952, and after that the price of eggs did come up some; so hoping you can do something again, as eggs are only 23 cents for No. 1 eggs now, and everyone is going in the hole on them. I do believe you can help us.

Hoping to hear from you soon,

Sincerely,

Mrs. FLOYD STEELE.

There is a postscript on the back of the letter. I ask unanimous consent that it be printed in the RECORD, as it deals with parity on grain.

There being no objection, the postscript was ordered to be printed in the RECORD, as follows:

I attended a meeting last night at which there were farmers, and they felt we needed 90-percent parity on grains grown and a support on egg and cream prices in order to be able to keep producing and break even on everything, as living costs are so much higher accordingly than what we sell.

THE CHINA DECISION AND FORMOSA

Mr. MORSE. Mr. President, in this critical and historical hour in the field of American foreign policy, I think we should always remember that there is no substitute for the application of brainpower to the solution of great public questions. Therefore, I ask unanimous consent to have printed in the body of the RECORD 2 writings of recent days by 2 distinguished American scholars in the field of foreign relations.

The first is a letter addressed to the editor of the New York Times by Dr. John Gange, director of the Woodrow Wilson School of Foreign Affairs of the University of Virginia. The letter appears under the heading "China Decision Discussed." I wish to associate myself with the observations and remarks of Dr. Gange.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHINA DECISION DISCUSSED—ALL-OUT WAR IS BELIEVED THREATENED, DANGERS ARE OUTLINED

(The writer of the following letter, director of the Woodrow Wilson School of Foreign Affairs of the University of Virginia, served in Formosa in public administration work in 1952 and 1953.)

To the EDITOR OF THE NEW YORK TIMES:

One of the chief functions a great newspaper can perform is to make possible the expression of public opinion on matters of public concern. This function is particularly important in a time of hysteria, panic, or a stampede led by our National Government. I write to you now as one of a few voices raised to question the sudden, and to me almost incredible, decision to rush into war with Communist China, albeit "in the interests of peace."

The public surely must be confused if what President Eisenhower sees as a threat to our peace and security for which we will fight with "whatever operations may be required" is seen by Secretary of Defense Wilson as "just a little ripple" in our defense picture. Perhaps a short summary would help us all.

No one need go beyond the indisputable fact that Mao Tse-tung, Chou En-lai, Chiang Kai-shek, and O. K. Yui believe Formosa and the Pescadores to be Chinese. Whatever anyone else says, the Chinese know the islands as Chinese. Our legalisms will not faze either side.

Both Chinese sides have repeatedly and categorically stated their positions and it is inconceivable that either could back down without disastrous loss of face.

CHINESE MATTER

Mao and Chou En-lai believe that control of Formosa is an internal Chinese matter; Chiang knows it is predominantly a Chinese matter; and most of Asia regards it as a Chinese matter.

Continued civil war among the Chinese over Formosa is inevitable and Asian sympathy almost certainly will be predominantly with the Government of the People's Republic of China.

Both Mao and Chiang have flatly rejected and must reject from their own imperatives of nationalism any outside interference to remove their claims to Formosa or, likewise, to the mainland.

The people of the United States and elsewhere outside of the two Chinas should have no illusions as to the intensity and bitterness and determination with which any peacemaking over Formosa will be resisted by both Chinas and that a policing operation will therefore have to be substantial,

continuous, and highly hazardous as the Communist Chinese build up steadily the wherewithal to attack Formosa despite any police protection.

As President Eisenhower clearly revealed, we face an all-out war with Communist China (why else ask for war powers?). If we insist on being policemen in the Formosan Straits there should also be a clear realization that we go into this all alone, unlike even the Korean police action where a few other countries joined us.

This war with China is precisely what the Soviet Union would like us to undertake; it will drain away our strength, it will alienate Asia and probably all nonwhite areas of the world, it will put us on a basis of permanent enmity with 600 million Chinese even if we can win it singlehanded and survive a healthy country.

FUTURE RELATIONSHIPS

What kind of relationships do we want in Asia in 1965 or 1975, not 1956? Will our going to war with China serve our long-range needs (and the future is where most of us will be living) or will it complicate or prevent what we want?

Is it the serious and unified intention * * * of our people to resort to whatever operations may be required to carry out [our] purpose to maintain Formosa and the Pescadores out of Chinese Communist hands? If this is our intention do we realize the dimensions of this undertaking or is it going to be regarded as only a ripple requiring no additional military strength?

JOHN GANGE.

CHARLOTTESVILLE, VA., *January 27, 1955.*

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks a scholarly article published in Sunday's Chicago Sun-Times, written by Dr. Hans J. Morgenthau, who is recognized as one of the foremost living authorities in the field of foreign affairs. In this article he points out the great dangers inherent in the action taken by the Congress of the United States last week in the passage of House Joint Resolution 159.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES SHIFTS POLICY OVER FORMOSA

(The Sun-Times presents the following analysis of the Far Eastern crisis as a public service to stimulate understanding of basic issues. While having specific opinions of his own, the writer of this article has been careful to present both sides of the world-shaking problem.)

(By Hans J. Morgenthau, director, Center for the Study of American Foreign Policy of the University of Chicago)

The Formosa resolution which has just been passed by Congress presents an extraordinary paradox to the American people and to the world.

In the context of the measures which have preceded it and which are likely to follow it, it constitutes a decisive change in the Far Eastern policies of our Government, an important step toward a peaceful settlement of the Far Eastern crisis.

Yet, in its most spectacular provision and in the dramatic measures and gestures accompanying it, it raises up the specter of an impending armed conflict. By doing this it gets in the way of the very purposes our Government is pursuing in the Far East.

When the Communists had driven Chiang Kai-shek from the mainland in 1949, the American people were united in assessing this event as a catastrophic defeat for the United States; for this event brought to pass what America's traditional policy of the "open door" had been able to prevent: That all of China would fall in the orbit of another great power.

DIVIDED ON CHINA

However, the American people and their Government were divided, and have remained so to this day, over the policies to pursue vis-a-vis Communist China.

By far the more articulate group, of which recently Adm. Arthur W. Radford, the Chairman of the Joint Chiefs of Staff, has been the most eminent spokesman, maintains that the United States cannot live securely with Communist China in the same world, that the Communist Regime of China can and ought to be overthrown, and that this can be done now with a relatively small commitment of American air and naval forces.

The other group, by no means negligible in either size or influence (Gen. Matthew B. Ridgway is probably its most prominent representative in the councils of government) but hardly audible in public, assume that the Communists are in firm control of the mainland and can be overthrown only by a military effort of the first magnitude.

From this estimate of the military situation, it follows logically that the United States ought to make the best of a bad situation by recognizing a fact, however distasteful and dangerous in itself, which could be changed only at an exorbitant price and at enormous risks.

UNEASY BALANCE

Until recently the present administration, as its predecessor, has tried to strike an uneasy balance between those two positions. By refusing to recognize the Communist government of China, it has by implication denied its right to govern China and its ability to do so permanently.

By promising to unleash Chiang Kai-shek for an invasion of the mainland, it has given the appearance of encouraging and supporting such an undertaking. On the other hand, in its actual policies our Government has been very careful to minimize armed conflict between the two Chinas and to preserve the status quo.

Recent statements and measures make it obvious that the administration is moving decisively away from the counterrevolutionary attitude implicit in its nonrecognition policy.

The defense treaty with Formosa, concluded in December 1954, and now before the Senate for ratification, and more particularly the notes exchanged between Mr. Dulles and the Formosan Foreign Minister on the conclusion of that treaty make it perfectly clear that our Government has reconciled itself to the Communist domination of the Chinese mainland and seeks the preservation of the territorial status quo in the short run and an overall Far Eastern settlement in the long run. The recent statements by the President and the Secretary of State in support of a cease-fire to be arranged under the auspices of the United Nations are part and parcel of that new policy. And so is the resolution which has just been passed by Congress. It, too, serves the purpose of maintaining the territorial status quo in the Formosa Strait by peaceful means, and the President's statement of last Thursday to this effect expresses faithfully the peaceful and defensive purposes of our policy.

WHY JETS, SHIPS?

Why, then, have these purposes been obscured by flights of jet planes, Navy concentrations, and talk about preventive war? As so often before, the sound purposes of our foreign policy have been sacrificed to the requirements generally apparent rather than real, of psychological warfare and political pressures, foreign and domestic.

There can be no doubt that the drastic military and political measures taken during the last week have the primary purpose of impressing upon the Chinese Communists our determination to defend Formosa even at the risk of a general war. Nothing in the present military situation suggests that the 7th Fleet would not be strong enough to meet any immediate emergency without drastic reinforcements, and the constitutional authority of the President to commit the Armed Forces of the United States to the defense of Formosa has not been challenged since President Truman so committed them at the beginning of the Korean war. Thus the resolution considered by Congress only confirms what needed no confirmation on constitutional grounds.

A good case can be made in support of a policy which leaves the prospective enemy in no doubt about one's own intentions. Yet there is a difference between making it unmistakably clear that one has a loaded gun ready for use under certain conditions and waving a loaded gun under somebody's nose or aiming it at somebody's head, even though without any intention to pull the trigger. In the latter case, the psychological effects might well be the exact opposite from those intended. Instead of deterring a prospective enemy from taking a certain step you might provoke him into committing one because your dramatic demonstrations have filled him with the fear, however unfounded, of drastic action. In one word, in psychological warfare one can do too little and one can do too much, and one can only hope that we have not done too much.

POLITICAL COMPROMISE

The measures of the last week also show the obvious marks of a political compromise with Chiang Kai-shek and the supporters of his counterrevolution in this country.

We have attempted for months to persuade Chiang Kai-shek to evacuate the outlying islands which are of minor military importance for the defense of Formosa and untenable in case of serious attack. We have now succeeded in persuading Chiang Kai-shek to evacuate the Tachen Islands, and we have committed ourselves in return for this concession to defend, at least for the time being, the island groups of Quemoy and Matsu. A look at the map will show that, while the Pescadores are indeed essential for the defense of Formosa, Matsu and the Quemoys are not.

Anything the Communists could do to Formosa from these islands they could also do from the mainland. These islands are not stepping stones from the mainland to Formosa, but they are stepping stones from Formosa to the mainland. From them a determined enemy can harass the port of Foochow and paralyze the port of Amoy.

It is true that in this fashion the Communists can be prevented from using these ports to stage the invasion of Formosa. But another look at the map will show that an invasion force, even if it controlled these islands, would have to cross a large body of water, and it would be a reflection on the prowess of the 7th Fleet to assume that it would be unable to intercept such a force. Given the defensive purposes of our policy, the commitment to defend these islands for the time being must then derive from political rather than military considerations.

PURPOSES DIFFER

Yet while our purposes are defensive, the purposes of Chiang Kai-shek are not and cannot be. Chiang Kai-shek's regime stands and falls with the expectation to return victoriously to the mainland.

The policies upon which our Government has embarked in recent months preclude such a return by freezing the status quo. Chiang Kai-shek knows this, and so do the advocates of his counterrevolution in this country. Yet neither of them can fail to note the splendid opportunity which last Friday's resolution offers them to maneuver the Government of the United States into

supporting policies which run counter to its own purposes.

It would not be the first time that the Formosan tail has wagged the American dog. The islands of Quemoy and Matsu, lying in close proximity to the Chinese mainland, cannot be defended against actual assault. They can be defended only by preventing an assault from being staged in the first place. In order to defend these islands, we cannot allow the enemy to fire the first shot; we must fire it ourselves in order to prevent the enemy from firing any shot.

In other words, the philosophy underlying last Friday's resolution calls for our carrying the war to the Asiatic mainland in order to defend Formosa. Yet to carry the war to the Asiatic mainland is exactly what Chiang Kai-shek and his American supporters want our Government to do. Only their purpose is not the defense of Formosa, but the reconquest of the mainland.

The President's statement of last Thursday that any decision to use United States forces other than in immediate self-defense or in direct defense of Formosa and the Pescadores would be a decision which he would take and the responsibility for which he has not delegated does little to dispel the misgivings which the supporter of the President's own policies must feel.

For it is Chiang Kai-shek and not the President's subordinates, who controls the Quemoy and Matsu Islands. Hence, it is Chiang Kai-shek who can create in the proximity of the Chinese mainland a situation calling for Communist countermeasures in the form of concentrations of troops and war material. No military intelligence is smart enough to distinguish between the defensive and aggressive purposes of such a concentration and all military intelligence is prone to find what it would like to find.

A military commander, itching for action, will more likely than not find in the intelligence reports evidence for the need for action, especially if failure to act might cause defeat. Yet it is upon such intelligence that the President must base his final decision.

The implications of last Friday's resolution, then, run counter to the present purposes of our foreign policy. A case—and in our opinion an unanswerable one—can be made for the policies President Eisenhower has embarked upon.

A case also can be made for the policies Admiral Radford has been advocating. But no case can be made for a policy which tries to achieve the purposes of one with the methods appropriate for the other.

UNSOLVED EMBEZZLEMENTS FROM THE CONSULATE GENERAL'S OFFICE, LAHORE, PAKISTAN

Mr. WILLIAMS. Mr. President, today I wish to discuss the unsolved embezzlement of United States Government funds in the amount of $72,045.71 from the Consulate General's office in Lahore, Pakistan.

A discrepancy in the accounts in that office was first called to the attention of the State Department on February 13, 1951, at which time a draft for $2,500 issued by the disbursing officer to the Imperial Bank of India was listed as unaccounted for. On December 18, 1951, Mr. Herbert W. Griffin, Division of Finance of the State Department, was given notice that in addition to the questions raised regarding the $2,500 draft, there also were other "unaccounted for" items in that office's accounts.

On January 5, 1952, an investigation was ordered, and Mr. James S. Moose, Jr., inspector, was placed in charge.

On August 25, 1953, a report of that investigation was officially filed with the State Department.

During this investigation it was discovered that between January 18, 1949, and September 29, 1951, official funds had been received by these four disbursing officers, but that such funds had not been entered in the office accounts nor otherwise accounted for.

The actual shortage existing in the Lahore accounts as determined by these investigators amounted to $72,045.71. A breakdown follows with the names of the officials involved omitted; however, these names are available to any committee of Congress interested, or they can be obtained from the State Department.

Disbursing officer No.	Period of assignment	Amount
1	Aug. 1, 1948, to Feb. 28, 1949	$6,060.61
2	Mar. 1 to Dec. 31, 1949	13,636.36
3	Mar. 22 to Sept. 2, 1950	6,060.61
4	Sept. 2, 1950, to Feb. 10, 1952	41,288.13
	United States dollar shortage	5,000.00
	Total United States dollar value of shortage	72,045.71

The officers involved and the responsibility of each is as follows:

First. A Foreign Service officer, class 2, retired for age on July 31, 1950, before any shortages were discovered. He is now drawing an annuity of $5,833 per year, and at the time of retirement received a lump-sum payment for annual leave of $8,800.

He served as principal officer from July 22, 1948, to March 23, 1949, and as disbursing officer from August 1, 1948, to February 28, 1949.

The charges were that as disbursing officer he incurred a shortage of $6,060.61, and coliability as principal officer for failure to require officer No. 2 to file bond in a sufficient amount, $6,060.61. A total of $12,122.22 was charged against that particular officer.

He did not keep safely or account for all public moneys received; his accounts were incomplete and incorrect; he withdrew funds from the Treasury in excess of 30 days' requirements; he has not paid into the Treasury of the United States the unexpended and unaccounted for Government funds which were transferred to him and were in his possession as disbursing officer.

Second. A Foreign Service officer, class 6, separated on June 21, 1952, under provisions of the Foreign Service Act, by being "selected out." Officers who are not promoted within a period of years are automatically selected out by action of the Foreign Service Board. He is presently living in the United States.

He served as officer in charge from March 24, 1949, to December 2, 1949, and as disbursing officer from March 1, 1949, to December 31, 1949.

The charges were that, as disbursing officer, he incurred a shortage of $13,636.36; as officer in charge; the same, but no additional amount because the service was simultaneous. Total, $13,636.36.

He did not keep safely or account for all public moneys received; his accounts were incomplete and incorrect; he had not paid into the Treasury of the United States the unexpended and unaccounted for Government funds which were transferred to him and in his possession as disbursing officer; he withdrew funds from the Treasury in excess of 30 days' requirements.

Third. A Foreign Service staff officer, class 8, still with the Department and presently serving in South America.

He served as disbursing officer from March 22, 1950, to September 2, 1950.

The charges against him were that, as disbursing officer, he had a shortage of $6,060.61.

He did not keep safely or account for all public moneys received; his accounts were incomplete and incorrect; he has not paid into the Treasury of the United States the unexpended and unaccounted for Government funds which were transferred to him and were in his possession as disbursing officer; he did not keep his official funds in a bank which had been designated as a United States Government depositary, using an undesignated bank instead, contrary to the specific prohibition thereof in his general instructions; he did not file bond with specific penalty as instructed; and he withdrew funds from the Treasury in excess of 30 days' requirements contrary to instructions.

Fourth. A Foreign Service officer, class 5, separated on September 30, 1953, by being "selected out."

He served as disbursing officer from September 2, 1950, to February 10, 1952.

The charges against this individual were that as disbursing officer he had a shortage of $46,288.13.

He did not keep safely or account for all public moneys received; his accounts were incomplete and incorrect; he has not paid into the Treasury of the United States the unexpended and unaccounted for Government funds which were transferred to him and were in his possession as disbursing officer.

He drew a number of checks on his official checking account including checks on the authorized depositary to pay a relatively small amount of personal bills, such as rent and other local expenses. He claims that he always paid into the cash the amount thereof. There is no other evidence that he did do so or did not do so, but there is ample evidence that at the same time the cash was short.

There are additional variations because of the method of obtaining funds for deposit in the disbursing officer's bank account. One was a draft for $2,500 which was drawn on the Secretary of State negotiated for rupees, and deposited in his bank account but not taken up in the office accounts.

In another instance a check drawn on the Treasury of the United States for $4,700, negotiated in rupees, and deposited in his bank account but not taken up in the accounts.

In addition, his accounts indicated a loss through the accommodation cashing of checks. The accounts do not acknowledge receipt of the checks nor have the checks ever been found.

On another occasion this employee drew a check on the Treasury of the United States for $5,000 in favor of

Grindlay's Bank, Ltd., but in this case no deposit was made in his personal bank account nor was the amount taken up in the office accounts.

In fairness to these officers it should be stated that in their report the investigators did point the finger of suspicion against a local employee, an accountant, a native of Pakistan. The report states that there was a strong indication that this employee was the person who falsified the accounts, took funds from the cash box, or otherwise duped his superior officers to the degree of relieving the United States Government of approximately $72,000. However, the inspectors also stated in their report that it did not appear to have been possible for this local accountant to have embezzled these funds without the cooperation of some of the American Government officials in charge.

Nevertheless, the one fact still remains; that is, that there was an embezzlement of $72,000 in government funds, and thus far no one has been held accountable.

As a possible explanation as to why more aggressive steps were not taken to clear up the mystery surrounding this embezzlement until after the statute of limitations had expired on many phases of the charges, I quote one sentence from a letter dated March 4, 1952, signed by the American consul general, Mr. Raleigh A. Gibson, Lahore, Pakistan, and addressed to Mr. Louis F. Thompson, Chief, Division of Finance, Department of State, Washington, D. C.:

We might be able to win a court case with the material we have, but in a court case we would have to admit to the extreme carelessness of four American officials.

SUPPORT BY VENEZUELA OF UNITED STATES POLICY IN FORMOSA CRISIS

Mr. WILEY. Mr. President, I was pleased to note in this morning's Washington Post and Times Herald a splendid public-service advertisement on the part of the American Chamber of Commerce in Venezuela, attesting to the solidarity of our great sister Republic of Venezuela with the cause of the United States in the interest of peace and security in the western Pacific.

The advertisement contains a statemen by His Excellency, Dr. Aureliano Otanez, Minister of Foreign Affairs of Venezuela, relating to Formosa.

I welcome Dr. Ortanez' statement as another heartwarming demonstration of pan American solidarity.

I look forward not only to a further strengthening of the splendid diplomatic ties between our two nations but to a strengthening of our already abundant economic and cultural interchange.

I ask unanimous consent that the text of the advertisement be printed at this point in the body of the RECORD.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

SOLIDARITY

The people and Government of Venezuela again express their solidarity with the people and Government of the United States.

STATEMENT OF THE VENEZUELAN MINISTER OF FOREIGN AFFAIRS, JANUARY 30, 1955

"In view of the problem faced by the free world, and in particular the United States of America, as a result of the tension created by the situation in Formosa, I would like to reaffirm to our sister nation to the north, in the name of the Government and the Venezuelan people, our sentiments of sincere and traditional friendship, our firm moral support, and assure them that the natural and strategic resources of Venezuela, especially the petroleum and iron ore, will be available to the cause which has obliged President Eisenhower to solicit from Congress special powers for safeguarding the ideals of liberty and justice."

Thus, Venezuela reaffirms its traditional solidarity with the United States in peace or war, whether hot or cold.

A policy which has remained unchanged from the days of the liberator, Simon Bolivar, to the present regime of President Marcos Perez Jimenez.

A policy which has and will continue to assure the United States of strategic Venezuelan resources such as petroleum and iron ore.

Profoundly impressed by the sincere sentiments expressed in the statement of the Venezuelan Minister of Foreign Affairs, the American Chamber of Commerce of Venezuela, representing the numerous American companies doing business under the free-enterprise system in Venezuela, is proud to bring the Foreign Minister's statement to the attention of the American public.

THE AMERICAN CHAMBER OF COMMERCE IN VENEZUELA.
CARACAS, VENEZUELA.

SUPPORT BY VENEZUELA OF UNITED STATES POLICY IN FORMOSA CRISIS

Mr. SMATHERS. Mr. President, for the past 3 or 4 years my colleague from Florida [Mr. HOLLAND] and several others of us have been talking about the importance of the Latin American countries to the United States, not only economically, but from the standpoint of their value to us in the event we should find ourselves involved in another total war.

I was particularly gratified to learn earlier today that Dr. Aureliano Otanez, Minister of Foreign Affairs of Venezuela, had issued in Caracas, a statement which illustrates the point I have been making, along with the Senator from Wisconsin [Mr. WILEY], the able and distinguished former chairman of the Committee on Foreign Relations. The statement is as follows:

Regarding the problem now faced by the free world, and particularly by the United States of America, due to the existing tension in Formosa, I wish to reiterate, in the name of the Government and people of Venezuela, to the sister nation of the United States, the sentiment of our sincere and traditional friendship, and express our definite moral support, as well as the assurance that Venezuela's natural and strategic resources, especially petroleum and iron ore, will be placed at the service of the cause which has led President Eisenhower to request the American Congress for special powers to safeguard principles of liberty and justice.

I have no doubt that if the situation worsens we shall find not only Venezuela, but the other Latin American and Central American Republics continuing to remain lined up with us in the battle for freedom in the world.

Mr. CAPEHART subsequently said: Mr. President, I had intended to ask unanimous consent to have printed in the RECORD a statement issued by Dr. Aureliano Otanez, Minister of Foreign Affairs of Venezuela, pledging the support of his country to the United States in any emergency growing out of the Formosan situation. I understand, however, that it has been printed in the RECORD, and so, of course, I shall not ask that it be printed again.

UNEXPENDED BALANCES IN EXECUTIVE AGENCIES

Mr. BYRD. Mr. President, for several years the Joint Committee on Reduction of Nonessential Federal Expenditures has been reporting on unexpended balances in appropriations and other expenditure authorizations available to agencies in the executive branch of the Federal Government.

The latest committee report compiles these balances from United States Treasury accounts and is being made available today.

I ask unanimous consent to insert in the body of the RECORD a statement summarizing the figures in this report and commenting about on the situation they disclose.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Appropriations and other expenditure authorizations available to agencies in the executive branch of the Federal Government during the current fiscal year total $154.1 billion.

These appropriations and other expenditure authorizations were as follows:

Sixty-five billion nine hundred million dollars in balances in appropriations and other expenditure authorizations enacted prior to fiscal year 1954 which began July 1, 1953;

Thirty-two billion five hundred million dollars of balances in appropriations and other expenditure authorizations enacted in fiscal year 1954 which ended last June 30;

Ninety-eight billion four hundred million dollars, subtotal of balances in prior year appropriations and other expenditure authorizations carried over into the current fiscal year which started July 1, 1954;

Fifty-five billion seven hundred million dollars in new appropriations and other expenditure authorizations enacted for the current 1955 fiscal year;

One hundred and fifty-four billion one hundred million dollars, total appropriations and other expenditure authorizations available for expenditure in the current and subsequent fiscal years.

These figures were developed by the Joint Committee on Reduction of Nonessential Federal Expenditures in connection with a report compiling unexpended balances as shown in Treasury accounts for all executive agencies and programs as of the end of the past fiscal year on June 30, 1954.

Current action by Congress on appropriation bills and other expenditure authority before it offers relatively little opportunity to control expenditures from old appropriations and other expenditure authority enacted in prior years.

DOMESTIC CIVILIAN BALANCES INCREASE

Unexpended balances in defense and foreign aid accounts were reduced during the year by $7.5 billion to $65.4 billion, while unexpended balances in domestic civilian program accounts were increased by $2.7 billion to $33 billion. It is indicated that

unused balances in domestic civilian accounts will rise in the current fiscal year, and, if current proposals for highways, education, health, etc., are adopted, they will rise tremendously during next fiscal year.

Most of the $2.7 billion increase was in unused authority to by-pass appropriation procedure and spend directly out of the Federal debt. The larger increases in unexpended balances in the domestic-civilian program accounts were in agriculture (mostly commodity credit) and housing. In agriculture unused authority to spend directly out of the debt was increased by $1.2 billion to a total of $4.9 billion, and in housing unused authority to spend directly out of the Federal debt was increased by $800 million to a total of $5.7 billion.

RECONCILIATION OF TREASURY-BUDGET UNEXPENDED BALANCE FIGURES

It will be noted that the unexpended balance total in the committee report is $98.4 billion. The unexpended balance total at the start of fiscal year 1955 as shown in the Budget Document is $94.4 billion. The committee report total and detail correspond with figures in Treasury accounts.

Efforts are being made to bring Treasury and Budget Bureau unexpended balance figures more closely to the same basis, but there is still considerable difference between them, particularly with respect to the treatment of contract authority and balances for transfer to surplus accounts.

Budget figures include contract authority previously granted by Congress for which appropriations have not been enacted, whereas Treasury accounts reflect only appropriations enacted for these items to date. Budget figures exclude lapsed appropriations whether or not they have been written off. Treasury accounts include lapsed appropriations until the balances are actually written off. The committee report compiles balances in the executive branch only, and exclude $16 million in legislative and judicial branch balances.

Treasury and Budget figures on unexpended balances as of June 30, 1954, are reconciled in tabular form as follows (in billions):

Budget document	$94.4
Add: Lapsed appropriations not written off from which further actual expenditures may be made	+6.5
Less: Contract authorizations for which appropriations have not yet been enacted	−2.5
Treasury accounts	98.4

1954 EXPENDITURES

According to Treasury accounts, executive agencies last year spent a total of $67.7 billion. Of this total $31.7 billion were spent out of appropriations and other expenditure authorizations enacted for fiscal year 1954, and $36 billion were spent from old appropriations and other expenditure authorizations enacted in prior years.

A table showing expenditures during fiscal year 1954 from both current and prior appropriation and expenditure authority is attached.

EXPENDITURE AVAILABILITY—FISCAL YEAR 1955

The table shows the Department of Defense entered the current 1955 fiscal year with $55.5 billion in unexpended balances in prior appropriations and other expenditure authority. This, together with $30.1 billion in new appropriations and expenditure authority enacted for this year, makes military expenditure availability for the current and subsequent years $85.6 billion.

The table shows further that unexpended balances in funds appropriated to the President (mostly foreign aid) on July 1 this year totaled $11.5 billion. This, together with this year's appropriations and other expenditure authority totaling $2.8 billion, makes expenditure availability in funds appropriated to the President (mostly foreign aid) $14.3 billion for the current and subsequent years.

For all other executive agency programs unexpended balances in old appropriations and other expenditure authority totaled $31.4 billion. This, together with this year's appropriations and other expenditure authority totaling $22.8 billion, makes expenditure availability in domestic-civilian program accounts total $54.2 billion.

Federal appropriations and authorizations, expenditures, and unexpended balances (through June 30, 1954)—Summary of appropriations and other authorizations, expenditures, and unexpended balances, executive branch of the Federal Government, showing appropriations and other authorizations by current and prior years; and 1954 expenditures from appropriations for the current year and appropriations enacted in prior years, and unexpended balances, as of June 30, 1954

[In thousands of dollars]

Department or agency	Appropriations and authorizations			Expenditures (June 30, 1954)			Unexpended balances as of June 30, 1954
	Prior-year appropriations and authorizations	Current appropriations and authorizations, fiscal year 1954	Total after transfers among appropriation accounts [1]	Out of prior appropriations and authorizations	Out of current appropriations and authorizations	Total [2]	
Executive Office of the President	2,360	9,748	12,271	786	8,757	9,541	2,731
Funds appropriated to the President	12,150,951	4,533,024	16,745,846	4,284,594	997,575	5,282,168	11,463,677
Independent offices	11,741,736	7,783,565	19,252,961	2,646,815	3,831,596	6,478,411	12,774,548
General Services Administration	1,912,737	162,957	2,064,246	669,552	135,987	805,537	1,258,709
Housing and Home Finance Agency	5,079,486	273,596	5,308,970	69,954	−684,546	−614,594	5,923,563
Department of Agriculture	4,297,099	4,209,604	8,471,023	2,060,214	854,839	2,915,053	5,555,972
Department of Commerce	298,757	943,314	1,303,677	142,433	857,456	999,887	303,792
Department of Defense	62,567,591	35,093,282	96,411,418	24,794,056	16,146,790	40,940,854	55,470,562
Department of Health, Education, and Welfare	636,544	1,938,064	2,569,809	510,372	1,470,659	1,981,030	588,778
Department of the Interior	331,680	499,627	824,337	262,645	272,496	535,140	289,197
Department of Justice	22,760	188,538	206,453	15,032	167,610	182,643	23,810
Department of Labor	14,274	396,462	410,502	10,789	343,724	354,514	55,987
Department of the Post Office	216,360	522,000	677,281	215,583	96,122	311,705	365,576
Department of State	105,959	211,582	216,128	39,641	116,827	156,466	59,662
Department of the Treasury [3]	3,891,317	7,389,971	11,634,318	287,830	7,063,417	7,351,245	4,283,072
Total	103,269,611	64,155,334	166,109,237	36,010,296	31,679,309	67,689,605	98,419,636

[1] Totals are adjusted to reflect interagency transfers, and are not necessarily the sum of cols. 1 and 2.
[2] Negative expenditures in this column represent an excess of collections over disbursements.
[3] Includes interest on the public debt.

INVESTIGATION OF FEDERAL HOUSING ADMINISTRATION

Mr. BYRD. Mr. President, the Tax Court of the United States has today handed down an opinion in the so-called Gross housing windfall tax case.

I am in possession of informal advice as to progress of civil and criminal cases growing out of scandals in multibillion dollar Federal housing programs.

And, I am in receipt of a letter from Mr. Albert M. Cole, Housing and Home Finance Administrator, setting forth administrative action he has taken pursuant to investigations into these programs since they started openly last April. The letter was in response to my request of last November 1, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, for such information.

I ask unanimous consent to insert in the body of the RECORD a statement relative to these matters, along with the text of Mr. Cole's letter with certain attachments covered by it.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

I think no one can quarrel too much with the United States Tax Court decision today in the Gross housing windfall case, holding in effect that loose housing laws and lax administration of them could be exploited in a manner to make tax windfalls legal.

The court points out in a concurring opinion that this type of windfall resulting from application of capital-gains tax instead of normal income-tax rates, encouraged by housing laws and those administering them, was outlawed by my amendment to the new tax code last summer. But Federal housing program builders who, with the aid of housing program officials, contrived under the housing laws, prior to the new tax bill, to get federally insured mortgages in excess of housing project costs are subject to the 25 percent capital-gains rate instead of the normal tax rate of 75 percent or more on the excess which they pocketed.

When the Joint Committee on Reduction of Nonessential Federal Expenditures, investigating this and other housing cases from the tax standpoint, caused all of the numerous housing-program scandals to be opened up to the public nearly a year ago, I was advised that hundreds of cases running to tens of millions of dollars in tax windfalls involved situations similar to that of the Gross case where the builders obtained $24

million under a federally insured mortgage for a housing project which cost $20 million, and divided $4 million of excess loan among themselves.

To what extent all of these tax cases will fall on this decision has not yet been made clear, but the Tax Court opinion reemphasizes the fact that the housing laws are loose and the administration of them is lax.

Not only do the taxpayers and the Government lose under this tax case decision, but I am officially advised that progress on both civil and criminal housing-scandal cases to date is slow and disappointing, due largely to loose law and lapse of time resulting from maladministration. As to administrative action, Mr. Albert M. Cole, Housing and Home Finance Administrator, has advised me that he has acted in what seems to be extremely few cases in view of the scope and seriousness of admitted scandals in the multi-billion-dollar housing programs.

Testifying before the Senate Banking and Currency Subcommittee on housing scandals, when it met in Chicago September 14, 1954, Mr. Cole indicted the Federal Housing Administration like no other Government administrator ever before discredited an agency under his own administration. He said:

Receipt by employees of gratuities was "the accepted norm of operations";

Employees engaged in activities involving "conflict of interest";

The Legal Division was inefficient;

The agency "lost capacity of self-appraisal and self-criticism";

It "tended to measure success in terms of volume";

It allowed its cost estimating system to "break down";

It accepted misrepresentation;

It allowed windfall profits;

It allowed charter violations;

It permitted irregular use of leaseholds;

It failed to "protect its own interests";

Its appraisal of land was "deficient";

It abandoned its established minimum architectural requirements;

It failed to enforce the law;

It allowed "wholesale victimization of homeowners";

It perverted the property-improvement program.

Mr. Cole, who indicted the FHA on these 16 counts, now advises me formally by letter that during 8 months following the inauguration of open investigations into this agency, by administrative action pursuant to the investigations, he has removed 3 Washington FHA employees and accepted the resignation of a fourth.

Among all the thousands of employees in numerous FHA field offices around the country, Mr. Cole says he has removed 6 others from office, accepted 13 other resignations, suspended 3, and reprimanded 29.

This list of removals, resignations, suspensions, and reprimands formally submitted over Mr. Cole's signature is attached. I shall insert it in the CONGRESSIONAL RECORD today.

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., December 20, 1954.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This refers to your request for certain information with respect to personnel and other administrative actions taken by the Housing and Home Finance Administrator and the heads of constituent agencies in connection with the special investigation of the Federal Housing Administration.

The attached list contains detailed information regarding the personnel actions which arose out of the special investigation. All of the individuals involved were employees of the Federal Housing Administration.

As a result of the disclosures made during the special investigation, the constituent agency heads and I have taken a number of positive steps to strengthen the agency's compliance arms and procedures.

At the outset of the special investigation, which commenced on April 12, 1954, I directed that the Investigations Section of the FHA General Counsel's Office would thereafter report to the Deputy Housing and Home Finance Administrator.

At the same time I took action to rescind an agreement, dating from 1935, by which FHA assumed exclusive investigative jurisdiction over offenses against certain criminal statutes. This had the effect of returning responsibility for criminal investigations to the Federal Bureau of Investigation.

By my order of October 1, 1954, there was established at the agency level a centralized compliance division. This division will perform two principal functions on behalf of the Housing and Home Finance Administrator:

(1) It will conduct all investigations required in the administration of the housing agency programs, except those referred to the FBI because possible criminal violations are involved.

(2) It will inspect and report on all of the facilities within the agency which are designed and used to assure integrity in operations and compliance with established standards, policies, and procedures.

The constituent agency heads have also taken action, within their respective jurisdictions, to evaluate and strengthen the means by which operational integrity may be assured. In the case of the Federal Housing Administration, this evaluation led to the establishment of an examination and audit group, reporting directly to the Commissioner.

In addition to these steps, affecting compliance activities throughout the agency and designed primarily to protect the public interest against a repetition of the irregularities found in the Federal Housing Administration, a number of actions have been taken within FHA by the head of that agency as a result of the facts disclosed during the special investigation.

On April 23, less than 2 weeks after the special investigation was ordered, Commissioner Mason set up a series of committees to advise him in the steps to be taken in improving the programs and operations of the Federal Housing Administration. These committees gave careful study to the FHA organization and to each of the programs for which FHA is responsible.

The recommendations of these committees were to a large extent embodied in the legislative recommendations which Commissioner Mason made to the Senate Banking and Currency Committee on May 17, and in a series of administrative orders issued during the ensuing months.

Perhaps the most significant step which the Federal Housing Commissioner took was the announcement, on June 28, that he had ordered the reorganization and modernization of the top policymaking structure of the FHA. In addition to the establishment of the independent inspectional service already mentioned, the new organization sets up clear lines of authority and responsibility within FHA and gives specific recognition to the need for a senior staff officer to plan and evaluate the operation of FHA programs so as to assure that they are being carried out in accordance with the intent of the Congress.

Other administrative actions taken by Commissioner Mason since he assumed office on April 13, 1954, are described below.

TITLE I HOME IMPROVEMENT LOAN PROGRAM

On June 4, barbecue pits, kennels, swimming pools, and other luxury items were excluded from the benefits of title I financing.

On August 25, a committee of representatives of the home-building and lending industry was appointed to study the FHA home modernization and repair program.

On September 24, new regulations under title I, as amended in the Housing Act of 1954, were issued.

On October 5, steps were taken to eliminate the misuse of FHA in advertising.

Between April 13 and November 23, precautionary measures were taken against 983 title I dealers and salesmen to protect the public against unscrupulous transactions.

MULTIFAMILY HOUSING PROGRAMS

On May 10, instructions were issued requiring the submission of up-to-date financial statements prior to considering sponsor's requests for permission to pay dividends and to effect changes in capital structure.

On June 22, restrictions were placed on the processing of applications for FHA insurance involving sponsors whose operations were being examined in connection with the special investigation.

On July 1, a new minimum equity requirement on all sales-type cooperative housing projects was placed in effect.

On July 16, instructions were issued prohibiting multiple multifamily housing project loans in any one area.

On August 20, new rules and regulations under section 207 were issued.

On September 13, new rules and regulations under section 213 were issued.

On October 4, new rules and regulations under section 803 were issued.

On August 20, 1954, Commissioner Mason directed the president of Linwood Park Corporations, section 608, to call a special meeting of the preferred stockholders for the purpose of electing new directors of the corporation. This was the beginning of legal action to recover windfalls in connection with 608 projects. Since that time, action has been taken against five other corporations. On the basis of the outcome of litigation, the FHA will set up a program for future action in connection with windfall cases.

HOME MORTGAGE INSURANCE PROGRAM

On June 8, Washington review of rental projects under section 203 was required as a safeguard against abuse of the home-insurance program and to avoid exploitation by promoters.

On August 12, new rules and regulations under section 203 were issued.

LEASEHOLDS

On May 26, instructions restricting the use of leaseholds were issued.

REFUSAL OF BENEFITS OF PARTICIPATION

On September 30, a formal procedure to be followed by FHA in refusing the benefits of participation in FHA programs under part 200 of the Federal Code of Regulations was issued.

In accordance with your request, this letter relates only to the actions taken by the Housing and Home Finance Administrator and the heads of the constituent agencies under his general supervision. There have been, of course, a large number of actions, complementing the actions taken within the Housing Agency, taken by the Congress and by other executive departments and agencies as a result of the recent FHA investigation.

Sincerely yours,

ALBERT M. COLE,
Administrator.

Personnel actions resulting from the special investigation of the Federal Housing Administration, April–November 1954

REMOVALS

Name	Title	Location	Date	Action
Clyde L. Powell	Assistant Commissioner, Rental Housing.	Washington, D. C	Apr. 13, 1954	Removed for misconduct.
Arthur J. Frentz	Assistant Commissioner, Title I	do	Apr. 22, 1954	Termination of non-civil-service appointment. There was no allegation of criminal involvement.
Burton C. Bovard	General Counsel	do	July 15, 1954	Removed for failure to perform properly the duties of General Counsel. There was no allegation of criminal involvement.
Charles F. Spiess	Chief construction examiner	Philadelphia, Pa	May 28, 1954	Removed for accepting gratuities from persons having business before FHA.
Andrew Frost	Assistant Director	Albuquerque, N. Mex	Sept. 9, 1954	Removed for accepting gratuities from persons.
John W. Salmon	Supervisory appraiser	Los Angeles, Calif	Nov. 26, 1954	Removed for purchasing home from firm having business before FHA at a price several thousand dollars below Veterans' Administration appraised value and for engaging in outside activity in violation of FHA policy.
Carl A. Brand	Chief underwriter	Kansas City, Mo	Dec. 31, 1954	To be removed for engaging in outside activity in violation of the FHA policy.
Arthur I. Duffy	Construction inspector	New York, N. Y	do	To be removed for accepting gratuities from persons having business before FHA.
William J. Loughran	Assistant chief construction examiner.	Jamaica, N. Y	do	To be removed for failure to comply with request to complete questionnaire.

RESIGNATIONS

Howard M. Murphy	Associate General Counsel	Washington, D. C	Apr 23, 1954	Resigned upon request for the good of the service. There was no allegation of criminal involvement.
John P. McGrath	Supervisory appraiser	Philadelphia, Pa	Apr. 30, 1954	Resigned while under investigation for accepting gratuities from persons having business before FHA.
Wilmer Russell	Construction inspector	do	June 1, 1954	Resigned after receiving notice of proposed removal for accepting gratuities from persons having business before the FHA.
Hiram M. Cudabac	Chief underwriter	Albuquerque, N. Mex	Aug. 19, 1954	Resigned after being questioned by investigative staff regarding supervisory deficiencies.
James B. Kiser	Construction examiner	do	Sept. 10, 1954	Resigned after being questioned concerning receipt of gratuities from persons having business before FHA.
J. Marvin Wade	Director	Little Rock, Ark	Sept. 21, 1954	Resigned during investigation of outside activities in violation of FHA policy.
John F. Pratt	Assistant Director	Oklahoma City, Okla	Sept. 17, 1954	Resigned after being questioned concerning the receipt of gratuities and special favors from persons having business before FHA.
Kenneth Mitchell	Chief land planner	Los Angeles, Calif	Aug. 20, 1954	Resigned after being questioned concerning the purchase of a home from firms having business before FHA.
Horace I. Moses	Construction examiner	do	Oct. 15, 1954	Resigned after being questioned concerning outside activity in violation of FHA policy.
Maurice Golden	Assistant chief construction examiner.	do	Sept. 20, 1954	Resigned after receiving notice of proposed removal for accepting gratuities from persons having business before FHA.
Francis J. Thiefels	Assistant Director	Grand Rapids, Mich	Oct. 1, 1954	Resigned after being questioned concerning falsification of an official document.
Frank B. Davenport	Construction cost examiner	do	Oct. 19, 1954	Resigned after being questioned concerning outside employment in violation of FHA policy.
T. Maurine Anderson	Office manager	do	Nov. 19, 1954	Resigned after being questioned concerning falsification of an official document.

SUSPENSIONS

Harold A. Mather	Construction inspector	Phoenix, Ariz	July 26, 1954	Suspended 30 days for the acceptance of gratuities.
Peter J. Fallon	Executive assistant	Newark, N. J	Oct. 10, 1954	Suspended 14 days for the acceptance of gratuities.
Ralph C. Eckert	Construction inspector	Portland, Oreg	Nov. 29, 1954	Suspended 3 days for incorrect statements on application for employment.

REPRIMANDS[1]

Warren S. Pletz	Construction examiner	Newark, N. J	Sept. 23, 1954	Reprimanded for the acceptance of gratuities.
John J. Crotty	Attorney adviser	do	Sept. 10, 1954	Do.
Landis H. Litchfield	Administrative officer	Richmond, Va	Sept. 8, 1954	Do.
Leo A. Petz	Assistant chief underwriter	Detroit, Mich	Oct. 19, 1954	Do.
Floyd W. Fritcher	Construction examiner	do	Sept. 8, 1954	Do.
Myron F. Marrs	Real property officer	do	Sept. 23, 1954	Do.
Wendell O. Edwards	Director	do	Oct. 19, 1954	Do.
George E. Born	Chief underwriter	Pittsburgh, Pa	Sept. 17, 1954	Do.
Carl C. White	Assistant chief construction examiner.	Des Moines, Iowa	Oct. 19, 1954	Do.
Lewis DeMarco	Loan examiner	do	do	Do.
Harold B. McBride	Assistant Director	do	do	Reprimanded for allowing employees under his supervision to accept gratuities.
Charles O. Lamond	Chief construction examiner	do	do	Reprimanded for the acceptance of gratuities.
Daniel H. Madigan	Construction examiner	New York, N. Y	Sept. 8, 1954	Do.
Leroy W. Pierce	Project procedure representative	do	Nov. 17, 1954	Do.
Alfred Raven	Chief construction examiner	Grand Rapids, Mich	Oct. 19, 1954	Do.
John W. Kauffman	Supervisory appraiser	Jacksonville, Fla	Oct. 29, 1954	Reprimanded for failure to adhere to FHA policy with respect to reporting outside activities.
C. Crow Batson	Chief construction examiner	Charleston, W. Va	Nov. 9, 1954	Reprimanded for the acceptance of gratuities.
Ralph E. Renn	do	Camden, N. J	Oct. 25, 1954	Do.
John M. Corcoran	Appraiser	do	do	Reprimanded for incorrect statements on application for employment.
Philip A. McCarthy	Supervisory appraiser	Memphis, Tenn	do	Reprimanded for incomplete answers on questionnaire concerning receipt of gratuities.
Richard J. Regan	Chief construction examiner	do	do	Do.
John R. Burton	Appraiser	Greensboro, N. C	Oct. 27, 1954	Reprimanded for the acceptance of gratuities.
Charles D. MacKintosh	Construction examiner	do	do	Do.
Walter C. Folger	Appraiser	do	Oct. 23, 1954	Do.
Taylor Kennerly	do	do	Oct. 27, 1954	Reprimanded for failure to submit written statement upon obtaining a loan under sec. 2 of title I of the National Housing Act and the acceptance of gratuities.
J. Guy Arrington	Director	Portland, Oreg	Nov. 4, 1954	Reprimanded for the acceptance of gratuities.
W. Withers Adickes	Assistant Director	Columbia, S. C	do	Do.
Henry A. Wittekind	Construction examiner	Jamaica, N. Y	Nov. 24, 1954	Reprimanded for failure to submit questionnaire within specified time limit.
Isidore S. Rosen	Construction inspector	do	do	Reprimanded for soliciting and accepting discarded materials from projects on which he served as construction inspector.

[1] In instances where an employee was reprimanded for accepting gratuities from persons having business before FHA, the gratuity was of minor value and there was no evidence of intent to unduly influence official actions.

PAYMENT OF COMPENSATION TO EMPLOYEES OF FORMER SENATORS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate now consider the resolutions listed on the calendar from No. 9 to No. 14, inclusive, embracing Senate Resolutions 50, 51, 52, 53, 54, and 48.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. I move the consideration of the resolutions.

The motion was agreed to, and the Senate proceeded to consider the resolution (S. Res. 50) to pay compensation for a certain period to employees of former Senator Robert W. Upton;

The resolution (S. Res. 51) to pay compensation for a certain period to employees of former Senator Ernest S. Brown;

The resolution (S. Res. 52) to pay compensation for a certain period to employees of former Senator Thomas A. Burke;

The resolution (S. Res. 53) to pay compensation for a certain period to employees of former Senator Edward D. Crippa;

The resolution (S. Res. 54) to pay compensation for a certain period to employees of former Senator Alton Lennon; and

The resolution (S. Res. 48) to pay compensation for a certain period to employees of former Senator Eva Bowring.

Mr. GREEN. Mr. President, these six resolutions were considered and acted upon favorably by the Committee on Rules and Administration, and they come to the calendar with the approval of that committee. They are all similar in nature; that is, that a gratuity is awarded to the employees of a Senator who ceases to hold office, because a good deal of their time is entirely taken in closing the office and preparing it for his successor.

I read the names of the former Senators to whom the resolutions relate:

Former Senator Robert W. Upton, former Senator Ernest S. Brown, former Senator Thomas A. Burke, former Senator Edward D. Crippa, former Senator Alton Lennon, and former Senator Eva Bowring.

The amount of gratuity in each case is determined by the salary received at the time the Senator left office, and is for 30 days thereafter. If, in the meantime, an employee takes another position, he is required to make an affidavit to that effect, and the amount he receives is deducted from the amount he is awarded.

Mr. President, I move that the six resolutions be agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

The resolutions agreed to en bloc are as follows:

Senate Resolution 50

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Robert W. Upton, who were carried on the Senate payroll on November 7, 1954, salary for services in his office for the period November 8, 1954, through December 7, 1954, or for so much of that time through December 7, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 7, 1954.

Senate Resolution 51

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate to the administrative and clerical assistants appointed by former Senator Ernest S. Brown, who were carried on the Senate payroll on December 1, 1954, salary for services in his office for the period December 2, 1954, through December 31, 1954, or for so much of that time through December 31, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of December 1, 1954.

Senate Resolution 52

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate to the administrative and clerical assistants appointed by former Senator Thomas A. Burke, who were carried on the Senate payroll on December 2, 1954, salary for services in his office for the period December 3, 1954, through January 1, 1955, or for so much of that time through January 1, 1955, as they were not otherwise gainfully employed, at their respective rates of salary as of December 2, 1954.

Senate Resolution 53

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Edward D. Crippa, who were carried on the Senate payroll on November 28, 1954, salary for services in his office for the period November 29, 1954, through December 28, 1954, or for so much of that time through December 28, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 28, 1954.

Senate Resolution 54

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Alton Lennon, who were carried on the Senate payroll on November 28, 1954, salary for services in his office for the period November 29, 1954, through December 28, 1954, or for so much of that time through December 28, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 28, 1954.

Senate Resolution 48

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Eva Bowring, who were carried on the Senate payroll on November 7, 1954, salary for services in her office for the period November 8, 1954, through December 7, 1954, or for so much of that time through December 7, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 7, 1954.

AMENDMENT OF ACT CREATING COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 5, Senate bill 539.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 539) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, I move that an identical House bill (H. R. 2010) be substituted for the Senate bill and be now considered. The House bill is Calendar No. 20. After action on the House bill, I shall move that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 2010), an act to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations.

The PRESIDING OFFICER. The House bill is open to amendment. If there be no amendment, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. I now move that Senate bill 539 be indefinitely postponed.

The motion was agreed to.

AMENDMENT OF REORGANIZATION ACT OF 1949

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 6, Senate bill 613, a bill to further amend the Reorganization Act of 1949.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 613) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, Senate bill 613 provides for a 2-year extension of the Reorganization Act under which plans have been transmitted by the President to the Congress for the reorganization of certain divisions and functions of the executive departments of the Government. The House passed H. R. 2576, providing for a 3-year extension. It is the unanimous view of the Senate Committee on Government Operations that a 2-year extension is all we should countenance or support.

Mr. McCLELLAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. McCLELLAN. Mr. President, I support the Senate bill. I know of no reason for extending the act for 3 years instead of for 2 years. By extending it 2 years it will extend it for some 3 or 4 months into the new administration,

which will take office in 1957. During those months the new administration, whether it be the present one or some other administration, will have an opportunity to express its views on reorganization matters. I do not know why the act was extended by the House for 3 years.

The President requested an extension for only 2 years. That has been the general consensus of the Hoover Commission of which I am a member, and I know their general views about it. I know of no reason for extending the act for a 3-year period. Therefore I urge that the Senate bill be passed.

Mr. HUMPHREY. Mr. President, it now appears that it would be advisable for the Senate to act on House bill 2576, Calendar No. 19, rather than on the Senate bill, in order to avoid a conference and get immediate action. Therefore, Mr. President, I ask unanimous consent that House bill 2576, Calendar No. 19, be substituted for Senate bill 613, and be now considered.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the Senate proceeded to consider the bill (H. R. 2576).

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the date of April 1, 1958, be amended to read "April 1, 1957."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2576) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 613 will be indefinitely postponed.

The title of House bill 2576 will be appropriately amended.

HIGHWAY FINANCING BY THE FEDERAL GOVERNMENT

Mr. ROBERTSON. Mr. President, while the prediction of Lord Macaulay that our Constitution would prove to be all sail and no anchor has not yet been fulfilled; weakening blows have been struck the anchor chain during the intervening 98 years since that statement was made. The Federal Government now blithely undertakes projects which the two patron saints of the Democratic Party, Jefferson and Jackson, were firmly convinced the Government had no power under the Constitution to undertake, and the Congress is being constantly confronted with proposals to expand powers which were merely assumed in the first instance.

The 100th anniversary of the birth of George Washington occurred during the administration of Andrew Jackson and the Congress provided for a suitable celebration. The distinguished Senator from Massachusetts, Daniel Webster, served as chairman and made the principal speech. After extolling the personal characteristics of the immortal Washington and indicating how the 100 years since his birth had been the most momentous century of history, he attributed the contribution that the United States had made to the 19th century to the practical application of the fundamental principles of political and economic freedom which had been espoused by George Washington and embodied in a written Constitution.

In an eloquent appeal for the preservation of that Constitution, referring to its division of powers among the Federal Government, the States, and the people as the "well-proportioned columns of constitutional liberty" and saying "if these columns fall they will be raised not again," Daniel Webster remarked:

> The world at this moment is regarding us with a willing but something of a fearful admiration. Its deep and awful anxiety is to learn whether free states may be stable, as well as free; whether popular power may be trusted, as well as feared; in short, whether wise, regular, and virtuous self-government is a vision for the contemplation of theorists or a truth established, illustrated, and brought into practice in the country of Washington.
>
> Gentlemen, for the earth which we inhabit, and the whole circle of the sun, for all the unborn races of mankind, we seem to hold in our hands, for their weal or woe, the fate of this experiment. If we fail, who shall venture the repetition? If our example shall prove to be one, not of encouragement but of terror, not fit to be imitated but fit only to be shunned, where else shall the world look for free models? If this great western sun be struck out of the firmament, at what other fountain shall the lamp of liberty hereafter be lighted? What other orb shall emit a ray to glimmer, even, on the darkness of the world?

JUST AS TRUE TODAY

Mr. President, to me, that eloquent tribute to what the world was expecting of America in the way of leadership in 1832 is just as true today. That our unparalleled prosperity, as well as our freedom and happiness, has been due in a large measure to our unique form of government cannot be questioned. At a time when our physical security is seriously threatened from abroad by communism and our fiscal security threatened at home because of debts already incurred and pending proposals to still further increase them, it well behooves us to review the concept of the Founding Fathers of what Webster called American constitutional liberty. Webster said:

> The domestic policy of Washington found its polestar in the avowed objects of the Constitution itself. He sought so to administer that Constitution as to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty. These were objects interesting in the highest degree to the whole country, and his policy embraced the whole country.

It must be frankly admitted, however, that during the formative years from 1789 to 1837 there were serious differences of opinion as to what the Constitution authorized the Federal Government to do in the domestic field and what it did not. Naturally, the subject of internal improvements such as roads and canals in the early days of the Government became the subject of heated debate. The recent proposal of the Clay Commission that the Federal Government embark upon a roadbuilding program involving an expenditure of more than $100 billion in the next decade was the occasion for me to refresh my memory of the position taken by some of the first Presidents on that subject.

APPLICATION TO HIGHWAY FINANCING

Their warnings, as I shall point out in quoting their statements, seem especially apt if we are to adopt new principles of highway financing which not only would enlarge the control of the central Government over paths of commerce within the States, but which would at the same time lessen the financial control of the elected representatives of the people over this program.

Before reviewing that history, however, I wish to make clear that I speak from an attitude similar to that of Andrew Jackson in 1830 when, in a message to the Congress vetoing a public-road bill, he said:

> Sincerely friendly to the improvement of our country by means of roads and canals, I regret that any difference of opinion in the mode of contributing to it should exist between us; and if in stating this difference I go beyond what the occasion may be deemed to call for, I hope to find an apology in the great importance of the subject, an unfeigned respect for the high source from which this branch of it has emanated and an anxious wish to be correctly understood by my constitutents in the discharge of all my duties.

While it is well known to my Virginia friends, many of my distinguished colleagues in the Senate may not know that one of my major political undertakings in Virginia was the improvement of our State highways. In the summer of 1915, when I first announced my candidacy for the Virginia State Senate, I announced a platform in which the principal plank was advocacy of a State highway system for Virginia and a State-financed program to construct it.

During my first term in the State senate, I, along with my deskmate, Senator HARRY F. BYRD, was a copatron of the bill to establish this State system; and when the bill became law, Senator BYRD and I were appointed by the governor as members of a commission to lay out the highway system. The report of that commission was adopted by the general assembly 2 years later.

Since there were at that time no State funds for highway construction, I sponsored a bill—subsequently known as the Robertson road law—which authorized the State to repay out of general State funds, when available, but without interest, any money advanced by a county for construction of roads within the State highway system.

Such slow progress was made during the first 2 years of operation under that law, that a bill was introduced in the assembly to submit to the voters a proposal for a State bond issue for highway construction. That bill passed the house, but when it reached the senate, Senator HARRY F. BYRD organized a fight against it, and delegated to me the chief responsibility for presenting our objections to the senate.

We were defeated in the senate by a majority of one vote; but when the issue went to the voters of the State, for ratification in the general election in 1923, Senator BYRD led the fight against it, and it was defeated by a substantial majority. The next session of the general assembly imposed a gas tax and an automobile license tax, and Virginia has proceeded ever since on that pay-as-you-go basis.

With all due deference to other States which have adopted other systems of highway financing, it is my conviction that Virginia's present system of farm-to-market roads, as well as arterial highways, gives solid proof of the argument we offered three decades ago that we could get good roads for less money by paying for them as they were built. The agreement of Virginians generally with that viewpoint was indicated in the fall of 1953, when one of the major issues in the gubernatorial campaign was again a State bond issue for roads; and the Republican who advocated the bond issue was defeated by the Democrat who opposed it.

My personal views on the subject of methods which should be used for improving our national highway system naturally are influenced by this background of experience in my own State.

I also have been influenced, however, by the thinking of former Virginians who played leading parts in national affairs, and who felt, as Andrew Jackson did, when he told the Congress in 1834:

I am not hostile to internal improvements, and wish to see them extended to every part of the country. But I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them cannot be reasonably expected.

THOMAS JEFFERSON'S VIEWS

In his second inaugural address in 1805, Thomas Jefferson suggested that when the Government's debt had been redeemed, the revenue from tariffs which would then be released might be divided among the States, "and a coresponding amendment of the Constitution be applied in time of peace to rivers, canals, roads, arts, manufactures, education, and other great objects within each State."

The following year, in his sixth annual message to the Congress, Jefferson again indicated his belief that new constitutional authority would be needed if funds collected by the Federal Government were to be used for improvements within the States. Referring to taxes on "foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them," he said:

Their patriotism would certainly prefer its continuance and application to the great purposes of the public education, roads, rivers, canals, and such other objects of public improvement as it may be thought proper to add to the constitutional enumeration of Federal powers.

Jefferson added:

I suppose an amendment to the Constitution, by consent of the States, necessary, because the objects now recommended are not among those enumerated in the Constitution, and to which it permits public moneys to be applied.

In his last annual message to the Congress in November of 1808 when Jefferson again raised the question of what should be done with surplus revenue in future years, he said:

While uncertain of the course of things, the time may be advantageously employed in obtaining the powers necessary for a system of improvements should that be thought best.

WHAT MADISON SAID

An indication that James Madison, who followed Jefferson in the Presidency, was concerned about the question of Federal authority to sponsor internal improvements is found in his seventh annual message to the Congress in 1815. Madison then said:

Among the means of advancing the public interest the occasion is a proper one for recalling the attention of Congress to the great importance of establishing throughout our country the roads and canals which can best be executed under the national authority. No objects within the circle of political economy so richly repay the expense bestowed on them; there are none the utility of which is more universally ascertained and acknowledged; none that do more honor to the Government whose wise and enlarged patriotism duly appreciates them. * * *

Whilst the States individually, with a laudable enterprise and emulation, avail themselves of their local advantage by new roads, by navigable canals, and by improving the streams susceptible of navigation, the general Government is the more urged to similar understakings, requiring a national jurisdiction and national means, by the prospect of thus systematically completing so inestimable a work; and it is a happy reflection that any defect in constitutional authority which may be encountered can be supplied in a mode which the Constitution itself has providently pointed out.

Madison's final message to Congress the following year contained a similar passage, inviting attention "to the expediency of exercising their existing powers and, where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals."

WARNINGS FROM MONROE

The same note was sounded again in 1817 by James Monroe in his first inaugural address when he said:

Other interests of high importance will claim attention, among which the improvement of our country by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place.

In his first annual message in December of that same year Monroe gave a more explicit statement of his philosophy on this subject. After speaking of the advantages to be derived from good roads and canals because of the extent of territory within the United States he said:

A difference of opinion has existed from the first formation of our Constitution to the present time among our most enlightened and virtuous citizens respecting the right of Congress to establish such a system of improvement. * * * Disregarding early impressions I have bestowed on the subject all the deliberation which its great importance and a just sense of my duty required, and the result is a settled conviction in my mind that Congress does not possess the right. It is not sustained in any specific powers granted to Congress, nor can I consider it incidental to or a necessary means, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. In communicating this result I cannot resist the obligation which I feel to suggest to Congress the propriety of recommending to the States the adoption of an amendment to the Constitution which shall give to Congress the right in question. In cases of doubtful construction, especially of such vital interest, it comports with the nature and origin of our institutions and will contribute much to preserve them, to apply to our constituents for an explicit grant of the power. We may confidently rely that if it appears to their satisfaction that the power is necessary, it will always be granted.

Monroe's advice regarding a clarification of constitutional authority was ignored; and 5 years later, in 1822, he received a bill passed by the Congress for preservation and repair of the Cumberland Road, which had been started during Jefferson's administration. He vetoed it with a message stating that although he approved the policy of building such a road, he was "under a conviction that Congress does not possess the power under the Constitution to pass such a law."

This Cumberland Road bill had in common with the recent report of the Clay Commission a provision relating to collection of tolls for highway use. The comments of President Monroe on this practice and where it might lead are, I believe, worthy of our consideration. He said:

A power to establish turnpikes with gates and tolls, and to enforce collection of tolls by penalties, implies a power to adopt and execute a complete system of internal improvement. A right to impose duties to be paid by all persons passing a certain road, and on horses and carriages, as is done by this bill, involves the right to take the land from the proprietor on a valuation and to pass laws for the protection of the road from injuries, and if it exists as to one road it exists as to any other, and to as many roads as Congress may think proper to establish.

A right to legislate for one of these purposes is a right to legislate for the others. It is a complete right of jurisdiction and sovereignty for all the purposes of internal improvement, and not merely the right of applying money under the power vested in Congress to make appropriations, under which power, with the consent of the States through which this road passes, the work was originally commenced, and has been so far executed.

I am of the opinion that Congress does not possess this power; that the States individually cannot grant it, for although they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States. This power can be granted only by an amendment to the Constitution and in the mode prescribed by it.

Monroe then reviewed the powers specifically granted by the Constitution or incidental to some power specifically

granted, and concluded that the power in question could not be derived from any of these.

I must confess I am apprehensive that if the Federal Government now adopts a plan under which the States are encouraged to set up corporations to build roads, with assurance that the obligations of these privately controlled organizations will be backed by public tax funds, and especially if the plan encourages more roads on which users must pay tolls, we will find ourselves in the kind of situation envisoned by Monroe, with the Federal Government not only calling the tune on how these roads shall be built, what fees shall be charged, and how traffic over them shall be controlled, but also with this system used as a lever to promote similar Federal intervention in education, manufactures, arts, and all the objects which Jefferson described as advantageous when properly undertaken.

The insidious nature of such Federal expansion also is well illustrated by Monroe's experience. In 1817, as I have pointed out, he denied the right of Congress to establish internal improvements, and suggested the need for a constitutional amendment. In 1822, he vetoed a Cumberland Road bill with the message from which I have quoted. But in his annual message to Congress in December of the same year, he had reached the point of saying that if Congress did not recommend the amendment which he had advocated:

> They have, according to my judgment, the right to keep the road in repair by providing for the superintendence of it and appropriating the money necessary for repairs. Surely—

Monroe said—

> if they had the right to appropriate money to make the road, they have a right to appropriate it to preserve the road from ruin.

Thus, the practical necessity of dealing with a project whose value for "all military and commercial operations, and also those of the Post Office Department," Monroe said, "cannot be estimated too highly," forced him to approve spending money for upkeep of a road which he clearly thought the Government had no right to sponsor in the first instance.

And in his message of December 2, 1823, which is remembered today primarily because in it he announced the great doctrine of international relations which bears his name, Monroe went a step further. He said the Cumberland road would require annual repairs; and since Congress had not recommended an amendment to the Constitution to provide power for undertaking internal improvements, he suggested that the Executive be authorized to enter into an arrangement with the several States through which the road passed, for them to establish tolls each within their own limits.

VAN BUREN'S RESOLUTION

In December of 1825, Senator Martin Van Buren offered a motion stating that Congress does not possess the power to build roads and canals within the States, and proposing that a committee be appointed to report a joint resolution for an amendment to the Constitution "prescribing and defining the power Congress shall have over the subject of internal improvements, and subjecting the same to such restrictions as shall effectually protect the sovereignty of the respective States, and secure to them a just distribution of the benefits resulting from all appropriations made for that purpose."

In discussing his motion Van Buren said that the constitutional power of Congress to legislate on this subject had been a source of unbroken and frequently angry and unpleasant controversy, and that even those who agreed as to existence of the power differed in almost everything else in regard to it.

He said the intimate connection between the prosperity of the country and works of this description would always induce efforts to have the Federal Government undertake them and there was little reason to believe its claim of power would ever be abandoned. He felt, therefore, that it was the duty of Congress to have the question settled in the only way that could be final—an amendment of the Constitution "prescribing and defining what Congress may and what they shall not do."

No action was taken on the Van Buren resolution.

ANDREW JACKSON'S PHILOSOPHY

Internal improvement programs which had expanded rapidly during John Quincy Adams' administration were checked and tested once more after the election of Andrew Jackson, but by this time the line of battle had been withdrawn from the question of whether the Federal Government could undertake improvements to the issue of how far it could go in undertaking works of primarily, or even exclusively, local benefit.

In recalling the position taken by Jackson on this question, I hope to have the attention particularly of those colleagues with whom I have sometimes disagreed as to policies involving the TVA and other proposed authorities for river-valley development.

One of the show places near Nashville, Tenn., in the heart of the Tennesese Valley Authority's electrical empire, is the Hermitage, the stately columned home of Andrew Jackson. The thousands of visitors who go there every year see many objects intimately connected with Jackson's life, which are quite interesting, but it might also be helpful if they could be reminded of his emphatic views on the subject of limiting Federal activities to those of "general, not local, national not State, benefit," and his warning of the dangers of violating this principle.

Jackson would not have been blind to the value of a river-valley development program or of an expanded system of highways, including better farm-to-market roads. He said in his first annual message to the Congress in 1829:

> Every member of the Union, in peace and in war, will be benefited by the improvement of inland navigation and the construction of highways in the several States.

But, he continued:

> Let us, then, endeavor to attain this benefit in a mode which will be satisfactory to all. That hitherto adopted has by many of our fellow-citizens been deprecated as an infraction of the Constitution, while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils.
>
> To avoid these evils it appears to me that the most safe, just, and Federal disposition which could be made of the surplus revenue (which he said was anticipated when the public debt had been paid) would be its apportionment among the several States according to their ratio of representation, and should this measure not be found warranted by the Constitution, that it would be expedient to propose to the States an amendment authorizing it. I regard an appeal to the source of power in cases of real doubt, and where its exercise is deemed indispensable to the general welfare, as among the most sacred of all our obligations.
>
> Upon this country more than any other has, in the providence of God, been cast the special guardianship of the great principle of adherence to written constitutions. If it fail here, all hope in regard to it will be extinguished. That this was intended to be a government of limited and specific, and not general, powers must be admitted by all, and it is our duty to preserve for it the character intended by its framers. If experience points out the necessity for an enlargement of these powers, let us apply for it to those for whose benefit it is to be exercised, and not undermine the whole system by a resort to overstrained constructions. * * * The great mass of legislation relating to our internal affairs was intended to be left where the Federal Convention found it—in the State governments. * * * I cannot, therefore, too strongly or too earnestly, for my own sense of its importance, warn you against all encroachments upon the legitimate sphere of State sovereignty.

The following year Jackson gave substance to this statement of his theoretical position by vetoing a public roads bill and giving in more detail his views on enlargement of Federal power to undertake internal improvements.

Jackson said the constitutional power of the Federal Government to construct or promote works of internal improvement had two angles, one bearing on the sovereignty of the States and the other having to do with the right to appropriate money for use by the States without a claim of Federal jurisdiction.

As to invading the sovereignty of States by undertaking public works without their approval, Jackson said power to this extent never had been exercised and that the Federal Government did not have such power and could not be given it by legislation.

As to appropriations, he said the view had been taken at an early period of the Government that money could be applied only to objects covered by the enumerated authorities vested in the Congress but that subsequent administrations had adopted "a more enlarged construction" of the power.

He recalled the Louisiana Purchase and the original appropriation for the Cumberland Road during Jefferson's administration and said no less than 23 laws had been passed appropriating more than $2,500,000 out of the National Treasury to support the Cumberland Road and he cited statements of Madison as conceding that the right of appropriation is "not limited by the power to carry into effect the measure for which the money is asked, as was formerly contended."

Jackson also referred to the views of Monroe and John Quincy Adams and then said:

This brief reference to known facts will be sufficient to show the difficulty, if not the impracticability, of bringing back the operations of the Government to the construction of the Constitution set up in 1798, assuming that to be its true reading in relation to the power under consideration, thus giving an admonitory proof of the force of implication and the necessity of guarding the Constitution with sleepless vigilance against the authority of precedents which have not the sanction of its most plainly defined powers.

He said grants by the Government always had been professedly under the general principle that the works should be "of a general, not legal, national, nor State" character and "a disregard of this distinction would of necessity lead to the subversion of the Federal system." He added that he viewed the bill under consideration as "a measure of purely local character" and said, "if it can be considered national, then no further distinction between the appropriate duties of the General and State governments need be attempted, for there can be no local interest that may not with equal propriety be denominated national."

Discussing the Nation's budgetary situation, Jackson said it should be possible to extinguish the national debt in another 4 years but that appropriations for internal improvements were increasing at a rate which pointed to either a continuance of the debt or resort to additional taxes.

He said a republic free of debt would exercise a salutary influence upon the cause of liberal principles and free government throughout the world, and a course of policy destined to witness events like these cannot be benefited by a legislation which tolerates a scramble for appropriations that have no relation to any general system of improvement and whose good effects must of necessity be very limited.

That statement of Andrew Jackson I commend to your particular attention. Today our choice is not between promptly extinguishing the national debt or extending it but is rather between adding to an already enormous debt or reaching the point where we shall begin to reduce it. But, certainly in our day, as in Jackson's, the course we follow will have an influence upon the cause of free government throughout the world.

Jackson went on to say—and I associate myself with his views on this point:

I will not detain you with professions of zeal in the cause of internal improvements. * * * But, although all are their friends, but few, I trust, are unmindful of the means by which they should be promoted; none certainly are so degenerate as to desire their success at the cost of that sacred instrument with the preservation of which is indissolubly bound our country's hopes.

Jackson again suggested that if the people wanted the Federal Government to build roads and canals there should be a constitutional amendment delegating, defining, and restricting the power.

In 1830 Jackson vetoed another bill authorizing subscription of stock in the Washington Turnpike Road Company and in his second annual message in December of that year he referred to two other internal improvement bills which he had vetoed.

He said he would not have withheld consent from a bill making direct appropriations for such objects but "in speaking of direct appropriations I mean not to include a practice which has obtained to some extent, and to which I have in one instance, in a different capacity, given my assent—that of subscribing to the stock of private associations."

Positive experience—

Jackson continued—

and a more thorough consideration of the subject have convinced me of the impropriety as well as the inexpediency of such investments. All improvements effected by the funds of the Nation for general use should be open to the enjoyment of all our fellow-citizens, exempt from the payment of tolls or any imposition of that character.

The practice of thus mingling the concerns of the Government with those of the States or of individuals is inconsistent with the object of its institution and is highly impolitic. The successful operation of the Federal system can only be preserved by confining it to the few and simple, but yet important, objects for which it was designed.

A different practice, if allowed to progress, would ultimately change the character of this Government by consolidating into one the general and State governments, which were intended to kept forever distinct. * * * If the interest of the Government in private companies is subordinate to that of individuals, the management and control of a portion of the public funds is delegated to an authority unknown to the Constitution and beyond the supervision of our constituents; if superior, its officers and agents will be constantly exposed to imputations of favoritism and oppression.

The power which the General Government would acquire within the several States by becoming the principal stockholder in corporations controlling every canal and each 60 or 100 miles of every important road, and giving a disproportionate vote in all their elections, is almost inconceivable, and in my view dangerous to the liberties of the people.

This mode of aiding such works is also in its nature deceptive, and in many cases conducive to improvidence in the administration of the national funds. Appropriations will be obtained with much greater facility and granted with less security to the public interest when the measure is thus disguised than when the definite and direct expenditures of money are asked for.

That, Mr. President, is a statement which I wish might have been studied and heeded by the authors of the recent report which proposed commiting the Federal Government to participation in an expanded program for toll highways and other roads which might be more lightly undertaken because direct appropriations for the purpose would not be required.

Jackson touched on this subject again in his fourth annual message to the Congress when he said:

Besides the danger to which it exposes Congress of making hasty appropriations to works of the character of which they may be frequently ignorant, it promotes a mischievous and corrupting influence upon elections by holding out to the people the fallacious hope that the success of a certain candidate will make navigable their neighboring creek or river, bring commerce to their doors, and increase the value of their property. It thus favors combinations to squander the treasure of the country upon a multitude of local objects, as fatal to just legislation as to the purity of public men.

If a system compatible with the Constitution cannot be devised which is free from such tendencies, we should recollect that that instrument provides within itself the mode of its amendment, and that there is, therefore, no excuse for the assumption of doubtful powers by the General Government

Improvements must be made with the money of the people, and if the money can be collected and applied by those more simple and economical political machines, the State governments, it will unquestionably be safer and better for the people than to add to the splendor, the patronage, and the power of the General Government.

In his sixth annual message, Jackson again expressed his concern over the course being taken by the Government in expanding its program of support for internal improvements.

He recalled that during his first year as President, when he had vetoed a bill authorizing the Federal Government to subscribe for stock in the Maysville and Lexington Turnpike Co., internal improvement bills already approved by congressional committees called for spending $106 million and bills calling for another $100 million of similar spending still were pending. To understand the significance of these figures, it should be pointed out that Jackson had estimated Federal revenue collections for that year at $24,600,000. So, the proposed spending for internal improvements was more than eight times the total of the Government's annual revenue. A program of similar proportions in relation to Federal revenues today would amount to around $475 billion, so no wonder Jackson was alarmed.

He told the Congress:

To suppose that because our Government has been instituted for the benefit of the people it must therefore, have the power to do whatever may seem to conduce to the public good is an error into which even honest minds are too apt to fall. * * *

I am not hostile to internal improvements, and wish to see them extended to every part of the country. But I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them cannot be reasonably expected.

Mr. President, I have deliberately chosen to make these remarks to the Senate before I have had an opportunity to examine any bill to implement the President's recommendations for a future highway program, because I wanted to deal with principles rather than any specific legislation. We are clearly dealing with an assumed power and should move cautiously in exercising it. Each proposal should be carefully weighed not only from the standpoint of the benefits it promises to our generation, but also from the standpoint of the ultimate effect it might have on our cherished institutions. A constitution of all sail and no anchor means a government wrecked on the rocks of a loose fiscal policy.

My purpose today has been merely to illuminate some of the warning signs placed by those who have preceded us and to plead, as the writer of Proverbs

did to the children of Israel: "Remove not the ancient landmark which thy fathers have set."

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BIBLE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. KILGORE, from the Committee on the Judiciary:

Edward J. Devitt, of Minnesota, to be United States district judge for the district of Minnesota;

Philip L. Rice, of Hawaii, to be associate justice of the supreme court, Territory of Hawaii, vice Louis LeBaron; and

George Glenn Killinger, of Virginia, to be a member of the Board of Parole.

By Mr. DANIEL, from the Committee on the Judiciary:

Russell B. Wine, of Texas, to be United States attorney for the western district of Texas, vice Charles F. Herring, resigned.

By Mr. GEORGE, from the Committee on Foreign Relations:

Philip D. Reed, of New York, and Erwin D. Canham, of Massachusetts, to be members of the United States Advisory Commission on Information;

John Sherman Cooper, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary to India, and to serve concurrently as Ambassador Extraordinary and Plenipotentiary to Nepal; and

Donald R. Heath, of Kansas, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Lebanon.

THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY AND THE PROTOCOL THERETO

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Executive K, the Southeast Asia Collective Defense Treaty and the protocol thereto, commonly known as the SEATO treaty.

The PRESIDING OFFICER. The clerk will state the treaty by title.

The LEGISLATIVE CLERK. Executive K, 83d Congress, 2d session, the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Executive K, 83d Cong., 2d sess.), the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954, which was read the second time, as follows:

SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

The Parties to this Treaty,

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and

Desiring further to coordinate their efforts for collective defense for the preservation of peace and security,

Therefore agree as follows:

ARTICLE I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

ARTICLE II

In order more effectively to achieve the objectives of this Treaty the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

ARTICLE III

The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

ARTICLE IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

ARTICLE V

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

ARTICLE VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

ARTICLE VII

Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.

ARTICLE VIII

As used in this Treaty, the "treaty area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. The Parties may, by unanimous agreement, amend this Article to include within the treaty area the territory of any State acceding to this Treaty in accordance with Article VII or otherwise to change the treaty area.

ARTICLE IX

1. This Treaty shall be deposited in the archives of the Government of the Republic of the Philippines. Duly certified copies thereof shall be transmitted by that government to the other signatories.

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

ARTICLE X

This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the Republic of Philippines, which shall inform the Governments of the other Parties of the deposit of each notice of denunciation.

ARTICLE XI

The English text of this Treaty is binding on the Parties, but when the Parties have agreed to the French text thereof and have so notified the Government of the Republic of the Philippines, the French text shall be equally authentic and binding on the Parties.

Understanding of the United States of America

The United States of America is executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

In witness whereof, the undersigned Plenipotentiaries have signed this Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY.

For France:
G. LA CHAMBRE.

For New Zealand:
CLIFTON WEBB.

For Pakistan:
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.
ZAFRULLA KHAN.

For the Republic of the Philippines:
CARLOS P. GARCIA.
FRANCISCO A. DELGADO.
TOMAS L. CABILI.
LORENZO M. TAÑADA.
CORNELIO T. VILLAREAL.

For the Kingdom of Thailand.
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH.

For the United Kingdom of Great Britain and Northern Ireland:
READING.

For the United States of America:
JOHN FOSTER DULLES,
H. ALEXANDER SMITH,
MICHAEL J. MANSFIELD.

I certify that the foregoing is a true copy of the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

In testimony whereof, I, RAUL S. MANGLAPUS, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October, 1954.

[SEAL] RAUL S. MANGLAPUS,
Undersecretary of Foreign Affairs.

PROTOCOL TO THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

DESIGNATION OF STATES AND TERRITORY AS TO WHICH PROVISIONS OF ARTICLE IV AND ARTICLE III ARE TO BE APPLICABLE

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

The Parties further agree that the above mentioned states and territory shall be eligible in respect of the economic measures contemplated by Article III.

This Protocol shall enter into force simultaneously with the coming into force of the Treaty.

In witness whereof, the undersigned Plenipotentiaries have signed this Protocol to the Southeast Asia Collective Defense Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY.

For France:
G. LA CHAMBRE.

For New Zealand:
CLIFTON WEBB.

For Pakistan:
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.
ZAFRULLA KHAN.

For the Republic of the Philippines:
CARLOS P. GARCIA.
FRANCISCO A. DELGADO.
TOMAS L. CABILI.
LORENZO M. TAÑADA.
CORNELIO T. VILLAREAL.

For the Kingdom of Thailand:
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH.

For the United Kingdom of Great Britain and Northern Ireland:
READING.

For the United States of America:
JOHN FOSTER DULLES.
H. ALEXANDER SMITH.
MICHAEL J. MANSFIELD.

I certify that the foregoing is a true copy of the Protocol to the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

In testimony whereof, I, RAUL S. MANGLAPUS, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October 1954.

[SEAL] RAUL S. MANGLAPUS,
Undersecretary of Foreign Affairs.

PACIFIC CHARTER

The Delegates of Australia, France, New Zealand, Pakistan, the Republic of the Philippines, the Kingdom of Thailand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America;

Desiring to establish a firm basis for common action to maintain peace and security in Southeast Asia and the Southwest Pacific;

Convinced that common action to this end, in order to be worthy and effective, must be inspired by the highest principles of justice and liberty;

Do hereby proclaim:

First, in accordance with the provisions of the United Nations Charter, they uphold the principle of equal rights and self-determination of peoples and they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities;

Second, they are each prepared to continue taking effective practical measures to ensure conditions favorable to the orderly achievement of the foregoing purposes in accordance with their constitutional processes;

Third, they will continue to cooperate in the economic, social and cultural fields in order to promote higher living standards, economic progress and social well-being in this region;

Fourth, as declared in the Southeast Asia Collective Defense Treaty, they are determined to prevent or counter by appropriate means any attempt in the treaty area to subvert their freedom or to destroy their sovereignty or territorial integrity.

Proclaimed at Manila, this eighth day of September, 1954.

(Initialed by R. G. Casey),
Delegate of Australia.
(Initialed by G. La Chambre),
Delegate of France.
(Initialed by Clifton Webb),
Delegate of New Zealand.
(Sgd.) ZAFRULLA KHAN,
Delegate of Pakistan.
(Sgd.) CARLOS P. GARCIA,
(Sgd.) FRANCISCO A. DELGADO,
(Sgd.) TOMAS L. CABILI,
(Sgd.) LORENZO M. TAÑADA,
(Sgd.) CORNELIO T. VILLAREAL,
Delegates of the Republic of the Philippines.
(Sgd.) WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH,
Delegate of the Kingdom of Thailand.
(Initialed ad referendum by Reading),
Delegate of the United Kingdom of Great Britain and Northern Ireland.
(Sgd.) JOHN FOSTER DULLES,
(Sgd.) H. ALEXANDER SMITH,
(Sgd.) MICHAEL J. MANSFIELD,
Delegates of the United States of America.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask that the yeas and nays be ordered on the resolution of ratification of the pending treaty.

The yeas and nays were ordered.

The PRESIDING OFFICER. The treaty is before the Senate and is open to amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. I have been absent from the floor attending a policy committee meeting. Do I correctly understand that the Senate is now in executive session and that the treaty is before the Senate in executive session?

The PRESIDING OFFICER. That is correct.

Mr. GEORGE. Mr. President, on January 21, last, the Committee on Foreign Relations ordered reported to the Senate the Southeast Asia Collective Defense Treaty signed at Manila on September 8 of last year. The committee recommended by a vote of 14 to 1 that the Senate give its advice and consent to the ratification of this important and desirable document.

In the face of unremitting danger from Communist aggression and subversion, we have long hoped that the nations of this sensitive area could be brought together in a solid unity for security and peace. The Manila pact is an impressive stride toward that goal. It is the capstone of a structure of security treaties in the Pacific which the United States began to build 4 years ago.

Prior to the Southeast Asia Treaty we had concluded mutual defense agreements with Korea, the Philippines, Aus-

tralia, New Zealand, and Japan, but these bilateral or trilateral arrangements were not regarded as definitive solutions of the Pacific defense problem. They expressly contemplated the development of a more comprehensive, collective security system when circumstances made that feasible.

Two distinguished Members of this body accompanied the American delegation to Manila and actively participated in the deliberations of the Conference. The senior Senator from New Jersey [Mr. SMITH] and the junior Senator from Montana [Mr. MANSFIELD] returned with praise and enthusiasm for the spirit shown by the other signatories and the determination they manifested to preserve their freedom and independence. The preservation of that freedom is a primary objective of the treaty. It is, moreover, of vital concern to the United States; for we have realized that any significant extension of the Communist world would generate the gravest danger for our own Nation.

PURPOSE OF THE TREATY

To the extent that we support the independent governments of Southeast Asia in maintaining their freedom, therefore, we also defend the highest interests of the United States. It is our purpose, Mr. President, to give advance notice to any Communist nation contemplating aggressive action in that area that they will have to reckon with the United States. Like the other security treaties which have preceded it, the Southeast Asia Pact is inspired by the conviction that a potential aggressor may be deterred from reckless conduct by a clear-cut declaration of our intentions. Never again must it be said that a world war broke out because the enemy miscalculated what we would do.

The Southeast Asia Defense Treaty is not directed against any people or against any government. It is a threat to no nation, but rather proof of our will to live in peace and to preserve the peace through collective action. It is directed only against aggression, whether direct or indirect, and for the United States it applies only to Communist aggression.

The treaty now before the Senate attempts to meet the threat to freedom in Southeast Asia by a dual course of action. In the first place, it provides for countermeasures in the case of an armed attack upon any of the parties or upon any of the territories covered by the treaty. In the second place, it deals with the difficult problem of indirect aggression and subversion directed from without, which are familiar weapons of world communism.

The heart of the treaty on these two matters, Mr. President, is article IV, which we gave a most careful examination in the committee. Article IV, paragraph 1, of that article provides as follows:

> Each party recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes.

The obligation we assume in this provision is patterned after commitments we have already approved in the Korean, Philippine, and Australia-New Zealand defense treaties, but there are several significant differences. It introduces a new concept, that of the flexibility of the area to which the treaty may apply. Article VIII of the treaty defines the area covered as the general area of southeast Asia, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. If the parties unanimously agree to do so, they can modify or enlarge the treaty area, or designate additional states or territories which benefit from the protection given in case of an armed attack. This provision, Mr. President, does not signify that the executive branch of our Government can expand the scope of the treaty by its own action or decision. On the contrary, the administration has made it quite clear that any proposed change of this kind would require the advice and consent of the Senate. It would have to be ratified as in the case of any other treaty.

One such agreement has already been concluded, and is submitted to the Senate for ratification along with the treaty. I refer to the protocol which designates the States of Cambodia and Laos, and the free territory of Vietnam, as coming within the purview of article IV. The protocol really is an alternative method of extending the treaty itself to those states. Because of certain provisions in the Geneva armistice agreements pertaining to the Indochina war, there was some question as to whether the remaining associated states could properly subscribe to the treaty as signatory parties. However, since they indicated their desire to come under the umbrella of protection which article IV furnishes, this was accomplished by the protocol which the signatory parties signed on the same date as the treaty.

UNITED STATES COMMITMENTS

Just what is the nature of the obligation we have assumed under article IV, paragraph 1? It is important to point out that the approach used in this treaty reproduces what Secretary of State Dulles has described as the "Monroe Doctrine" formula, which appears in the previous security treaties concluded by Mr. Dulles. This approach embodies the concept that an armed attack within the treaty area would be "dangerous to our peace and safety," the language employed by President Monroe. We therefore agree to meet the danger in accordance with our constitutional processes. The formula avoids the constitutional controversy which was provoked by the principle of the North Atlantic Treaty that "an attack upon one is an attack upon all."

Under that principle, an attack made upon one of the other parties is regarded as tantamount to an attack upon the United States, even if it were not made against our territory. By contrast, the present treaty leaves no doubt that the constitutional powers of the Congress and the President are exactly where they stood before. It has no effect whatsoever on the thorny question of whether, how, and under what circumstances the President might involve the United States in warfare without the approval of Congress.

I should also like to emphasize that only a Communist armed attack will bring the treaty into play as far as our Government is concerned. An understanding to this effect is incorporated in the text of the treaty itself, and for a very good reason. The United States was the only country at Manila which did not have territorial interests in the treaty area. It could hardly be said that all kinds of armed attacks threatened our peace and safety, although we could quite properly say it of a Communist armed attack. As a result, for the other signatories the treaty is not only an anti-Communist pact, but a regional pact against aggression; whereas for the United States it is limited, as I have described, to an armed attack by a Communist country.

SUBVERSIVE ACTIVITIES

The second notable feature of this treaty, Mr. President, is the manner in which it deals with subversive activities directed by an external power. Paragraph 2 of article IV refers to threats against the territorial integrity or political independence of any party protected by the treaty, by anything other than an armed attack, or "by any fact or situation which might endanger the peace of the area." In such circumstances, the parties agree "to consult immediately on the measures which should be taken for the common defense."

The treaty does not call for automatic action; it calls for consultation. If any course of action shall be agreed upon or decided upon, then that course of action must have the approval of Congress, because the constitutional process is provided for.

The provision I have just been discussing takes on added meaning when read in conjunction with article II. In that article the parties pledge that—

> By means of continuous and effective self-help and mutual aid [they] will maintain and develop their individual and collective capacity to * * * prevent and counter subversive activities directed from without against their territorial integrity and political stability.

It is clear that the threat to territorial integrity and political independence contemplated in article IV also encompasses acts of internal subversion. This does not mean that the United States has undertaken to suppress bona fide, local revolutions by the native population wherever they may break out. On the other hand, if there were a subversive, revolutionary movement in, let us say, Vietnam or Thailand, propagated by communism, that would be regarded as a threat to us. Even in that event we would not be bound to put it down. I cannot emphasize too strongly, Mr. President, that we have no obligation under this portion of article IV to take positive measures of any kind. All we are obligated to do is to consult together

about it. In the course of the consultation we would try to agree as to whether the situation called for action. It remains only to be noted that while the measures taken under paragraph 1 to meet an armed attack must be reported to the Security Council, no such requirement is postulated with respect to the measures which may be agreed upon under paragraph 2. I have discussed article IV at some length because it is that article which sets the course of our Nation in undertaking to strengthen this part of the free world in the critical period before us.

Mr. President, the nations of the free world sustained a serious setback in southeast Asia with the loss of northern Vietnam to the Communists. The peril to the southern area, the free territory of Vietnam, as well as to the remaining associated states, Laos and Cambodia, is serious, continuing, and unrelenting. It is important that our Government should act promptly to give approval to this treaty as an act of confidence in the determination of other governments in the area to defend their freedom, individual liberty, and independence. We should be proud to join with them in the cause of peace in this instrument of mutual trust and protection.

I strongly urge the Members of the Senate to give their advice and consent to the ratification of this treaty.

I may say, Mr. President, that of interest, or of possible interest, to the Senate is the fact that Thailand has completed its ratification process and has deposited its instrument of ratification with the Government of the Philippines, the depository government.

The following countries have completed necessary governmental action in the ratification process, but have not yet actually deposited their instruments of ratification: Australia, New Zealand, the United Kingdom, France, and Pakistan.

The Philippine Congress reconvened late in January and has been going through its organizational phase. We are informed that it is expected that the Philippine Congress will complete ratification of the Manila Pact early in February.

Mr. President, the two distinguished Senators, both of whom are members of the Committee on Foreign Relations, who were in the Philippines at the time of the actual signing of the treaty are present, and are prepared to give to the Senate additional information regarding the treaty, and probably are prepared to answer any questions that might arise.

Mr. SMITH of New Jersey. Mr. President——

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I am happy to rise to support the position so ably set forth by the distinguished chairman of the Committee on Foreign Relations, the Senator from Georgia [Mr. GEORGE], in support of the treaty. As the chairman of the committee has stated, the committee voted in favor of the treaty by an overwhelming vote, and it comes before the Senate with the support of the committee.

I believe the Members of the Senate may be interested in some first-hand observations on the Conference which led to the negotiation of the treaty which is now under consideration. Together with the Secretary of State and the Senator from Montana [Mr. MANSFIELD], I had the honor to serve as a delegate at the Manila meeting. It was a singular experience, and one of the most gratifying I have known in many years of public life.

In connection with the Conference, I should like to call attention to the splendid contribution of Secretary of State Dulles and the entire American delegation. I should like especially to call attention to the work of what was called the task force, under the leadership of the Counsellor of the Department of State, Mr. Douglas MacArthur II, which the Secretary of State sent to Manila 2 or 3 weeks before the Conference convened. This group of trained staff members of the State Department performed outstanding work in preparing the material on which we were to pass at the Conference, and thereby save a great amount of time in the Conference itself.

I am sure my colleague, the distinguished Senator from Montana [Mr. MANSFIELD] will agree with me when I say that the careful planning of the State Department was very instrumental in producing the fine results which were obtained.

Of course, as a background for the treaty there were several years of contemplation over what was the best course to pursue in the far Pacific area in bringing together the freedom-loving nations to defend their own freedom and security.

ASIAN INITIATIVE

In pointing out the American contribution, I do not want to leave the impression that we ran the show at Manila. Quite the contrary; the United States was only 1 of 8 nations participating in the Conference. We did not in any way seek to dominate the proceedings. The initiative was assumed largely by the Philippines, as the host nation, and the other Asian countries.

I might say in passing, as a compliment to Secretary of State Dulles, who was representing the United States, that delegates from other nations who were present begged him to be Chairman. Very properly, in my judgment, he refused that office. The Conference was headed by the Vice President of the Philippines as Chairman. A masterly job was done by our Philippine brother in presiding over the Conference.

The manner in which President Magsaysay of the Philippines provided the necessary leadership to the Conference was most inspiring. I could not help but feel that the close association of his country and ours over the years, the education of the Filipinos in self-government, and the processes of democracy had yielded rich fruit.

To single out President Magsaysay's splendid work as presiding officer at the Conference is not to ignore the contribution of other Asian leaders. Sir Zafrulla Khan of Pakistan brought to bear the weight of his profound knowledge of the affairs of Asia and his insight into the Asian mind. From Prince Wan of Thailand came many of the important proposals which helped to shape the treaty, and, I might add, some of the most inspiring remarks we heard during the course of the Conference.

One of the most moving aspects of the Conference was to see these men, and other able statesmen of the new but ancient nations of the East, exercising the prerogatives of nationhood. They conducted themselves with restraint, with a high sense of responsibility, and with deep and compelling conviction. That they were acting on the basis of equality, in concert with great nations of the West, promises much for the future of southeast Asia.

I wish to stress that fact, because the attitude of absolute equality throughout the proceedings and the participation of the Asian countries were two of the most inspiring things I noted. I must express appreciation also for the support we received from the United Kingdom, France, and our special friends in the Pacific, Australia, and New Zealand.

Kipling has written in one of his famous poems:

> And never the twain shall meet.

He was referring to the East and the West, of course. However, we felt that at the inspiring Manila Conference real progress was made in bringing the East and the West together, particularly in view of the friendships made there between the representatives of the eastern countries and the representatives of the western countries.

NATURE OF THE TREATY

In that respect the treaty represents a reconciliation of the spirit of Asia and the West. As such it lays the basis for the development of an enduring security and sound peaceful relationships. We have achieved, I believe, a formula by which the West can safeguard its legitimate security interests in southeast Asia. And at the same time the nations of that area can protect themselves and can be protected from the further encroachments of the Chinese Communist imperialists, and, I may add, from encroachments by Soviet Russia if Russia should try to put her hand into that area. Of course, she already has done so, although on the surface she supposedly has not.

It is a formula that should react not only against overt aggression but against the more subtle but no less potent poisons of Communist infiltration and subversion. This is the first of our Far East Asia treaties, in which there is contained a section dealing especially with Communist infiltration and subversion, short of actual armed attack. In this particular treaty we are endeavoring to deal with that particular and very difficult problem.

The formula was not easy to devise. In southeast Asia a unique situation has existed which did not lend itself to precisely the same measures of collective defense that have come into practice elsewhere in the world. It was necessary to develop a defense against aggression that would take into consideration the sensitivity of the Asian nations to

any suggestion of western domination. In the Conference, because we are a stronger nation, we had to be very careful about appearing to tell them what to do. But under the skillful leadership of Secretary Dulles, the United States was kept in the background; and those who were there made the suggestions and took the leadership. The nations of that area, proud and jealous of their newly achieved freedom, would not accept any arrangement which might be construed as putting them in an inferior status, regardless of the defense against communism which it might offer them. Moreover, we could not in justice to our own ideals, traditions, and beliefs associate ourselves with any agreement based upon principles other than those of full national equality. The importance of maintaining the principle of full national equality and freedom and independence of all the participating countries was obvious every minute of the time we were there. The trend of the entire history of our activity in that part of the world has been in the direction of sustaining the rights of peoples to national freedom and self-government.

In the example of the Philippines, fortunately, we have tangible evidence of our faithfulness to that principle. We had no need to prove our professions of anticolonialism to the Asian members of the Conference. That they were meeting in Manila at the invitation of an independent Philippine Government spoke far more authoritatively of our intentions than words ever could.

AVOIDANCE OF THE NATO FORMULA

Mr. President, I wish to speak now of the avoidance of the NATO formula, to which the Senator from Georgia [Mr. GEORGE] has already referred.

While it was clear from the outset that any formula for the defense of southeast Asia would be based on the equality of the participants, it was not equally evident that the NATO approach was not practicable in the situation there. When I say "the NATO approach," I refer to the provision of the North Atlantic Treaty Organization that an attack on one is an attack on all. That was the formula we did not think it wise to apply to this Far East Asian area. Some of the participants came to Manila with the intention of establishing an organization modeled on the lines of the North Atlantic Treaty arrangements. That would have been a compulsory arrangement for our military participation in case of any attack. Such an organization might have required the commitment of American ground forces to the Asian mainland. We carefully avoided any possible implication regarding an arrangement of that kind.

It was in contrasting the two situations, namely, the one in Europe and the one in southeast Asia, and in securing the understanding of the Asian nations in this respect—that is to say, with regard to Europe with the NATO program, and southeast Asia with the other approach—that Secretary Dulles was most effective.

There are real differences in the problems of defending the North Atlantic and southeast Asia. Had the Secretary not been successful in bringing them out, had these differences been ignored at Manila, the result could only have been the failure of the Conference or the creation of an unrealistic and misleading structure of defense among the free nations of the treaty area.

In the first place, the integration of the nations of southeast Asia has not progressed to the degree that it has among those of Western Europe. In southeast Asia national freedom is, for the most part, a new experience; and the Asian nations are very jealous of that freedom as they feel their way carefully and cautiously in a world of independent nations. They will find unity among themselves, I am sure; but they must find it in their own way and in their own time.

Moreover, this country does not have the military resources to establish the kind of joint command which a NATO arrangement in southeast Asia would require. We have enormous power at our command, but its effective use depends on its judicious use. Unless we avoid the temptation to spread our resources thin by overcommitments, we can greatly reduce our ability to act in a crisis.

The great contribution which this country is capable of making to the defense of southeast Asia in the event of an act of open aggression would be, as Secretary Dulles has said, "to strike at the source of aggression rather than to try to rush American manpower into the area to try to fight a ground war." We have no purpose of following any such policy as that of having our forces involved in a ground war. Beyond this, our contribution to the defense of southeast Asia can take the form of development in common with those nations of their spiritual, moral, and economic power. In that fashion, we can help them to act against internal subversion, which is an ever-present threat in that region. In fact, my own judgment—after having been there a number of times—is that at the moment the internal-subversion approach is the one which is most dangerous, and which really is more dangerous than an immediate military act.

A MONROE DOCTRINE APPROACH

Mr. President, let me now turn to the Monroe Doctrine approach, which is the other approach I have been discussing, and is the approach we have taken in the Far East, as distinguished from the NATO approach.

The problem which confronted us and the other delegations at the historic meeting in Manila last September was, in short, to develop effective treaty mechanisms for the defense of southeast Asia, based on the full national equality of the participants and free of the pitfalls of overcommitment.

I believe the treaty which emerged from Manila, and which is before the Senate today, meets that problem most successfully by adopting the Monroe Doctrine principle for this area, just as we have a Monroe Doctrine for the Western Hemisphere, comprising North America and South America. This treaty meets the problem by an approach perhaps best described as a kind of restatement of the Monroe Doctrine. Under this treaty, each party recognizes that an armed attack on any country within the treaty area would endanger its own peace and safety. Each party, therefore, agrees to act to meet the common danger in accordance with its constitutional processes. That means, by implication, that if any such emergency as is contemplated by the treaty should arise in that area it will be brought before the Congress by the President and the administration, and will be considered under our constitutional processes. We are not committed to the principle of NATO, namely, that an attack on one is an attack on all, calling for immediate military action without further consideration by Congress.

EFFECT OF THE TREATY

The net effect of this provision is to serve notice now and for the future to the Chinese Communists—and, I may say, to any Communists in that area—as the Monroe Doctrine did in the case of the European colonial powers in the early 19th century, that they shall not encroach further on this area of free nations. It should leave no uncertainty in Peking or in Moscow, either, as to the intentions of this Nation. They are no longer free to isolate and absorb the countries of southeast Asia, one by one. Laos or Cambodia or south Vietnam or Thailand cease to be individual entries on their timetable of conquest. That was taken care of by the special protocol which was added to the treaty at the time when it was signed. The Chinese Communists and those of the Kremlin know now, clearly and unmistakably that they have reached the end of the line insofar as cheap and easy aggression is concerned. From now on, any further aggression will set in motion the defense potentialities of eight nations. Through consultation and under their constitutional processes, these nations shall bring to bear the power which they command and are able to deploy most effectively in the common defense of southeast Asia.

For ourselves, the arrangement means that we will have avoided the impracticable overcommitment which would have been involved if we attempted to place American ground forces around the perimeter of the area of potential Chinese ingress into southeast Asia. Nothing in this treaty calls for the use of American ground forces in that fashion. Instead, we shall be able to conserve our strength so that in a moment of crisis we can use it to most effective advantage.

We also have achieved in this treaty a means by which we should begin to get at what has been probably the most perplexing of the threats in southeast Asia—the problem of internal subversion. I mentioned that before, but this is a special feature of the treaty. Much of the Communist advance in the region has been registered by this subtle form of conquest rather than by the cruder forms of external aggression. We have found it difficult to deal with subversion in the past because of the degree

of suspicion which attaches to any intervention by a western nation in the internal affairs of the Asian nation.

This treaty, however, at last recognizes that when internal strife in any given country has its origins in the international Communist conspiracy, it is in reality as much an international problem as it is a national problem. The participants, therefore, agree to consult on common measures for combating it. That is a great advance in the whole idea of collective security.

THE PACIFIC CHARTER

I wish to speak about the Pacific Charter, which was approved separately and after this treaty was signed. I think the Pacific Charter originated in the mind of Mr. Magsaysay, the new President of the Philippines. I know he brought it to our attention. There were a number of discussions over its wording. I think it deserves reference here, because it is a part of the whole picture.

I have dwelt at some length on the mechanics of defense which the treaty established for southeast Asia. There was another accomplishment at the Manila conference which is likely to prove equally important in its impact on the Asian situation. I refer to the Pacific Charter, which was signed by the delegates and proclaimed at the conference. The charter is a natural corollary of the treaty and inseparable from it. For as the treaty serves to marshal the military and economic resources of the participants for common defense, the Pacific Charter mobilizes their spiritual and moral strength. It speaks in bold and reverberating words of the determination to uphold the principle of equal rights and self-determination of peoples. It calls on the nations to strive to promote self-government and to secure the independence of all countries whose peoples desire it and are able to understand its responsibilities. That charter was approved unanimously by every country represented.

These are sentiments which will strike a responsive chord in the heart of Asia. They are ideals to which the spiritual bonds between East and West can be anchored. They are the principles around which the free peoples of this country and Asia can rally to make common cause against the Communist aggressors.

I wish to bring these brief remarks to an end by reading the conclusions in the report of the committee, which sum up our approach. I read from the final paragraphs of the report of the committee:

> It is the committee's view that the Manila Pact constitutes a considerable accomplishment in bringing together a group of eight countries of divergent religious, racial, and political backgrounds, in a common resolve to defend their freedom against the menace of international communism. By strengthening that resolve the United States will make a substantial contribution to the preservation of free governments and to the defense of its own security.
>
> The principle underlying this treaty is that advance notice of our intentions and the intentions of the nations associated with us may serve to deter potential aggressors from reckless action that could plunge the Pacific into war. To that end, the treaty makes it clear that the United States will not remain indifferent to conduct threatening the peace of southeast Asia.
>
> Until now, our protective system in the Pacific area has been predicated upon a group of treaties of a bilateral and trilateral character.

The distinguished Senator from Georgia [Mr. GEORGE] has just outlined what those treaties were. They were treaties with Japan, the Philippines, Australia, New Zealand, and Korea; and now we have pending the treaty with Nationalist China.

> The southeast Asia treaty is a long step toward a more comprehensive, collective security arrangement which has been regarded as desirable by the administration and the committee.
>
> The committee is not impervious to the risks which this treaty entails. It fully appreciates that acceptance of these additional obligations commits the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interests. There are greater hazards in not advising a potential enemy of what he can expect of us, and in failing to disabuse him of assumptions which might lead to a miscalculation of our intentions.

It is our earnest hope that this treaty will be ratified by a large vote of Members of the Senate.

Mr. MANSFIELD. Mr. President, the Southeast Asia Collective Defense Treaty signed in Manila on September 8, 1954, has been submitted to the Foreign Relations Committee and reported to the Senate for its approval. This treaty will be another milestone in the evolution of our policy to try and create a solid collective-security system in the western Pacific and southeast Asia areas.

It was my distinct pleasure, along with my distinguished colleague, the senior Senator from New Jersey [Mr. SMITH], to represent the Senate at this conference. Before I turn to the various sections and provisions of the treaty itself, I wish to make note of the outstanding job that Secretary of State John Foster Dulles and his party did at Manila in carrying out the policies of our Nation on a bipartisan, statesmanlike basis. The Secretary of State and Senator SMITH are to be highly commended for the work they did there.

The Southeast Asian Treaty is another part in the total pattern of strength which we have been trying to create throughout the free world. The armistice agreements at Geneva did not end the need for a pact in the southeast Pacific area; rather, it emphasized it. The need for the collective-security pact becomes more apparent each day as the aggressive tendencies on the part of the Communists become more evident. The nations at the Manila Conference have recognized this fact and have endeavored to form a bulwark against the aggressive intentions on the part of the Chinese Communists.

The members of the treaty organization are the Philippines, Thailand, Pakistan, Australia, New Zealand, France, the United Kingdom, and the United States.

Eight member nations, and only three of them Asian, may seem to be an insignificant number for a southeastern Asia treaty, but it is sufficient to start a very substantial defense buildup against the Communist menace in Asia. Admittedly, we would have been glad if there were more Asian members, but the door is not closed to them. Whenever these nations, within the confines of the treaty area, wish to avail themselves of the opportunity to join, they may do so, the only prerequisite being the concurrence of the present members. As a clarifying note, I will say that the name of any future members will be submitted to the Senate for approval.

When the delegations met in Manila, prior to the signing of this momentous document, the delegates had three major areas in which to find solutions: the definition of the treaty area, how much emphasis to place on the problem of subversion, and the economic clause, if there was to be one.

The treaty area is defined in the treaty itself and also in a protocol to the treaty which brings in Laos, Cambodia, and the free portion of Vietnam as treaty territory which, if attacked, would be under the protection of the treaty. Those nations themselves are not members of the Manila Pact. The reason is that the armistice provisions at Geneva at least raised a question in the minds of some of the parties to those agreements as to whether the Associated States could actually join such a pact. Nevertheless, those states welcomed the fact that the mantle of protection of the treaty was thrown around this area.

Broadly speaking, the treaty area includes the territory of the parties and the Pacific Ocean area which is south of 21 degrees and 30 minutes; that is a line which runs north of the Philippines. The area therefore is Pakistan, Thailand, and by protocol, Laos, Vietnam, and Cambodia, Malaya, Australia, New Zealand, and the Philippines. This treaty does not cover the Hong Kong area, Macao, Formosa, Japan, or Korea.

The major difference in this treaty from any other security treaty is that it places more emphasis on the danger of subversion. It deals of course, as other treaties have, with an open armed attack and it is hoped that what is said in this respect will constitute a deterrent against such an act of aggression.

The problem of subversion is dealt with more specifically than in any other treaty. Subversion in this area is very strong and it has been recognized as such. The signatories are planning a meeting in Bangkok later this month at which time they can begin to think of ways and means to meet the subversive threat which is recognized by the treaty as being a particular danger in this area.

The proposal before the Senate is a significant new undertaking providing for mutual aid to prevent and counter subversive activity directed from the outside against the territorial integrity and political stability of the member states. This situation, in Indochina in particular, is by no means satisfactory at the present time, although it is improving, and it is hoped that something fruitful will come from the Bangkok meeting.

The treaty has a brief economic clause which says that the parties will cooperate together in economic matters. Secretary Dulles made it clear, when he

appeared before the Senate Foreign Relations Committee in November, as he did in Manila, that this is not meant to and does not bind the United States to any particular program of vast economic and military aid.

The situation in Europe after World War II was quite different than the one which exists in Asia today. In Europe our aid programs helped to recreate something that had been destroyed. We were working with people who were well versed in industrial life, and they needed a big boost to get on their feet again.

In Asia the problem is to create something that is totally new. Our first problem under this clause is to find a proper means to help before sums of money are requested. There are a number of economic problems of acute necessity in southeast Asia, particularly in free Vietnam. It is my understanding that a report will be forthcoming from the administration when a definite plan of approach has been formulated. This proposal merely recognizes the economic problem and lays the groundwork.

The treaty ends with a declaration that the armed aggression which is referred to and which the United States declares would be dangerous to its own peace and security would be Communist aggression. There was a great deal of discussion at the Conference as to whether the treaty, as a whole, should be exclusively directed against Communist aggression, or whether it should deal with any form of aggression. The United States does not have any territory in the treaty area, and therefore we are not interested in internal quarrels as such. Our interests would be involved only if there should be Communist aggression. The other countries were unwilling to limit the treaty to Communist aggression, so the issue was resolved by the United States including in the treaty a declaration that as far as it was concerned the open aggression which we would regard as dangerous to our peace and security would be Communist aggression. As a compensation the United States has agreed that if there should be local controversies in the area, we would join with others in consultation to see what should or could be done to alleviate them. This treaty is aimed primarily at Communist aggression, not at difficulties that might arise between friendly states.

At the conclusion of the Manila Conference the Pacific Charter was issued. It is in the nature of a declaration which is very important, in that it expresses by joint action of so-called western colonial powers and the Asian powers a common position with reference to self-determination and self-government by the peoples of Asia. This document was suggested by President Magsaysay, an outstanding statesman and leader, who exerted a great deal of influence during the entire conference. He thought it would be useful for the conference to draw up what he called a Pacific Charter declaration, affirming the intention of all the parties to this treaty to work for self-determination and self-government among the Asian peoples who wanted self-government and were capable of exercising its responsibilities.

This charter is a notable achievement in bringing together the divergent viewpoints of those concerned. This document should have a great deal of impact.

Mr. President, as my colleagues here know, it is not necessary for the Pacific Charter to be submitted to the Senate for action.

One of the first questions to arise out of any discussion of this new treaty is: What is the major difference between the Southeast Asia Collective Defense Treaty and NATO?

First of all the North Atlantic Treaty Organization was built up as a defensive force on the continent of Europe—a force strong enough to resist attack by the armies of the Soviet Union. That is not the purpose of the Southeast Asia Treaty. This new treaty does not dedicate any major elements of the United States Military Establishment to form any army of defense in this area. According to the Secretary of State's testimony, in this area "we rely primarily upon the deterrent of our mobile striking power." A NATO-type organization in the Far East would be an overextension of our military power as it stands today.

This new treaty follows a formula similar to that used in the Philippine Treaty, the Anzus Treaties, and the Korean Treaty. This avoids the dispute which arose during the debate over the NATO Treaty relative to the powers of the President and the Congress.

The less controversial language declares that an intrusion in the treaty area would be dangerous to our peace and security and that we would, in that event, act to meet the common danger in accordance with our constitutional processes. The NATO Treaty says that "an attack on one is an attack on all." The former may not be as automatic, depending on the circumstances, but it avoids any constitutional controversy, and it stems from one of our oldest foreign policies—the Monroe Doctrine.

The Southeast Asia Collective Defense Treaty is consistent with the provisions of the United Nations Charter. This treaty would come under the provisions of article 51, providing that nothing contained in the U. N. Charter shall deprive any of the states from the individual or collective right of self-defense. Under article 51 regional enforcement measures do not need prior approval of the Security Council, where the Soviet Union has a veto.

One of the most fruitful things to come out of this conference was the initiative shown by the Asians themselves. The Filipinos, our long-time friends, were hosts, and the Asian delegates contributed immensely in working out the form that the treaty was to take.

In conclusion, I wish to stress again the importance of this treaty and the Pacific Charter. They are needed steps in building security for freedom in the Pacific area. I sincerely hope that the Senate will give its prompt approval and ratification.

Mr. WILEY. Mr. President, the preceding discussion of the pending treaty has been ample, so there is no real reason for me to take the time of the Senate on this subject. It is sufficient to say that this particular treaty came into being, so far as our State Department and so far as the Senator from New Jersey [Mr. SMITH] and the Senator from Montana [Mr. MANSFIELD] were concerned, during the period when I was chairman of the Foreign Relations Committee, and it was signed on the 14th of October 1954. Many persons, of course, realized that, as the Kaiser of Germany said on one occasion, a treaty may be only a scrap of paper, depending upon the character of the negotiators and upon the moral responsibility of the nations which negotiate the treaty. We are satisfied that in this instance the group of nations involved mean business and that they will keep the treaty. Therefore, it is all important, in this day when the world has been shrunken by the ingenuity of man and when we have come to the conclusion that our first defense line is far away in Asia, from the standpoint of our own welfare and from the standpoint of the signatories, that this treaty be ratified.

I wish to speak very briefly in support of the pending treaty, a document in which we can, I believe, take particular satisfaction. In the course of the past 3 years our Government negotiated several security agreements of a bilateral or trilateral character with other nations in the Pacific. Those agreements, in a sense, were but first steps toward a more ambitious collective security arrangement for that area. In fact, the agreements themselves expressly called for the "eventual development of a more effective system of regional security."

On several occasions, and most recently when the Korean treaty was before us, the Committee on Foreign Relations expressed its convictions as to the desirability of such a pact. But this kind of unity was not something that could be easily achieved. The relations between many of the free countries in the Pacific area have been, and in some instances continue to be, overcast with cultural and political differences which, in addition to the geographical distances involved, distinguish it from Europe. Between some of these countries exist rather deep-seated elements of friction and antagonism which have militated against the creation of a more general multilateral undertaking of mutual defense.

The Southeast Asia Collective Defense Treaty does not effect such a combination of all the free nations of the Pacific, but it is a substantial and courageous step forward in the direction of a more comprehensive security pact. The unity which it reflects is most gratifying. When we consider that eight nations, of diverse religious, racial, and political backgrounds, were able to compose their several points of difference and resolve firmly to defend their freedom, then, indeed, is there reason to feel encouraged.

It is, indeed, a very significant thing. The Secretary of State is to be commended for his part in such an accomplishment.

It is true that several important powers in the southeast Pacific area have elected to remain outside the treaty system. But it is also true, Mr. President, that among the nations covered are some

which may be most vulnerable to future assault by subversion and armed attack. The aggressive tendencies of the Communists were by no means satisfied with the results of the Indochina campaign and the Geneva Armistice agreements.

We cannot ignore the fact that on Chinese Communist soil there is a so-called Free Thai movement, the purpose of which is to overthrow the lawful government of Thailand. In that portion of Vietnam which was conquered by the Vietminh with Chinese support, military forces have been doubled in size since the date of the armistice. This, of itself, would be alarming to the neighboring states. But that it not all.

The provinces in northern Laos are largely dominated by the Communists who repudiate the authority of the Laos Government. In Singapore, the Communists are vigorously conducting activities against the large Chinese population, most of whom are themselves not Communists. Moreover, it is known that the Red Chinese are maintaining a very large military force in the province of Yunan, China, although there is no risk whatsoever of an armed attack against that outpost. Other strategic countries, such as Burma and Indonesia, are not free from the dangers of subversion. A despatch a few days ago from New Delhi informed us that maps published in an official Chinese journal now claim as Chinese soil huge chunks of strategic territory in India, Kashmir, and Burma.

All these factors, Mr. President, dilute the so-called peaceful protestations of the Communists, and amply justify our decision to encourage and strengthen the free nations of southeast Asia to safeguard their freedom. This is no high altruism on our part. Let us not delude ourselves. This is of the essence of enlightened self-interest; for to act otherwise would be to risk exposing the remainder of free Asia and the Near East to greater hazards.

It is significant, Mr. President, that today 4 Senators, including myself, have spoken, 2 Democrats and 2 Republicans, who sense the significance and the importance of the treaty. In other words, we are standing at the waterfront united, Democrats and Republicans, in the interest of America.

We all know what the loss of that part of the globe would mean to our own security. And we must not weaken our own resolve at this critical moment. Recent information, in contrast with pessimistic advice received earlier, appears to offer greater hope for a favorable outcome in free Vietnam. Surely now is not the time to dampen the morale of its people and its leaders.

I do not intend to dwell at any length upon the specific provisions of the treaty. That has been amply covered by the distinguished Senator who spoke prior to my taking the floor. The distinguished chairman of the Foreign Relations Committee has already touched upon the principal features of the instrument. Rather do I wish to emphasize the larger significance of the treaty, not merely as an addition to the system of defense pacts we have perfected, but as a vehicle through which the countries of southeast Asia, in particular, the Philippines, Thailand, and Pakistan, have uttered a cry of faith in their own destiny, and a defiant proclamation of their own conviction in the eternal worth of the individual man.

Mr. President, at the same time the treaty and protocol were negotiated, a document known as the Pacific Charter was signed. This is a declaration which expresses a common position relative to the self-government of the peoples of Asia, by both their governments and the western colonial powers. It reaffirms the principle of equal rights and self-determination of peoples as a basis for maintaining peace and security.

This ringing declaration, in the opinion of Secretary of State Dulles, should have far-reaching effects in meeting the propaganda of the Communists that West and East cannot work together for freedom in a spirit of mutual understanding.

The same principles are reaffirmed in the preamble to the treaty which we are now considering. We are all familiar with the basic pattern of the treaty, for it corresponds, generally, with prior defense pacts which the Senate has repeatedly approved. There is the familiar reference in article I to our obligations under the United Nations Charter, and our undertaking to settle international disputes by peaceful means—article I. There is the principle of the Vandenberg resolution—Senate Resolution 239, 80th Congress—which is found in article II, and which pledges the parties, separately and jointly, to maintain and develop their collective capacity to resist armed attack, as well as to counter subversive activities directed against their territorial or political integrity. There is the Monroe Doctrine formula, as has been stated, and the determination by us, in case of an armed attack upon any of the parties, to take such steps as we may decide to take, in accordance with our constitutional processes.

But all these provisions have been sufficiently discussed by the esteemed chairman of the Foreign Relations Committee, the Senator from New Jersey [Mr. SMITH], and the Senator from Montana [Mr. MANSFIELD]. It remains for me only to express my deepest conviction that this treaty is an important one for the United States, and is important for peace in the Far East. I therefore join with the distinguished senior Senator from Georgia, the senator from New Jersey [Mr. SMITH], and the Senator from Montana [Mr. MANSFIELD], in urging the Members of the Senate to adopt the recommendation of the Committee on Foreign Relations and give its approval to the treaty and the protocol.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. SPARKMAN. I am certain that in the various speeches which have been made in support of the treaty, its specific provisions have been spelled out quite well; but in the early part of his remarks the able senior Senator from Wisconsin referred to some of the very strong nations, countries capable of being very strong allies of the United States, which are included in the treaty. Undoubtedly the Senator has heard some criticism from time to time of the fact that other nations of Asia are not included.

It is a fact, is it not, that the door is left open with the anticipation that perhaps, as time goes on, other Asiatic nations may see fit to become parties to the treaty?

Mr. WILEY. That is correct.

Mr. SPARKMAN. The able Senator from Wisconsin also mentioned article I and article II as incorporating the principles of the United Nations. The whole pact is made, is it not, within the framework of the United Nations and under that part of the collective security provisions of the charter which recognizes the individual or collective right of self-defense?

Mr. WILEY. Again the Senator from Alabama is right.

Mr. SPARKMAN. I did not quite understand the Senator. Did he say I was right?

Mr. WILEY. Sometimes the Senator is right; and sometimes he is right. This time the Senator is right.

Mr. SPARKMAN. The Senator from Wisconsin will remember that when the first regional pact was made between the United States and other nations, after the formation of the United Nations Charter, it was upon the insistence of the late distinguished Senator from Michigan, the very able leader, Senator Vandenberg, that there was written into the pact the principle that it should accord full recognition to the United Nations Charter and should exist only until the United Nations Charter should be able to take care of the situation within its own framework.

Is it not true that that principle has been written into every one of the regional pacts which we have entered into since that time?

Mr. WILEY. I think the Senator is right for the third time. There is, of course, a distinction between the principle of article 51, the self-defense provision, and article 52 which contemplates regional organizations. In my humble opinion, that provision in the charter which looks forward to utilization of the regional pact idea, indicated the wisdom of those who worked for the charter. At that time they thought, of course, that the Kremlin would play ball with us; but apparently there was really some mental reservation, so there was written into the charter the provision that regional pacts would be in accordance with the charter.

All over the globe, wherever we have entered into regional pacts, such as the Rio and NATO Pacts, we have done so in accordance with the provision of the United Nations Charter. Our mutual security pacts in the Pacific have likewise been concluded pursuant to provisions in the charter.

Mr. SPARKMAN. Have not those provisions actually, from experience, proved to be quite realistic?

Mr. WILEY. I have no question that they have operated as provisions which kept certain segments of the West, or of the free peoples, united as against the encroachment of the Kremlin and the Commies.

Mr. SPARKMAN. Always looking toward the day when the United Nations might be sufficient to carry on the job without the necessity of having regional pacts.

Mr. WILEY. When that millennium comes—and it is not around the corner—there will not be any need for what the Senator calls regional pacts. But since I cannot foresee that occasion, as I read the signs of the times today, I see the significance of pacts such as the one which is now before the Senate.

Mr. SPARKMAN. The distinguished Senator from Wisconsin knows that from time to time we hear criticism from good, stanch friends of the United Nations to the effect that we are not abiding by the spirit of the United Nations, but are weakening the United Nations by entering into the regional and other pacts.

My last question is, Does not the Senator from Wisconsin agree with me that not only are we pursuing a realistic course within the framework of the United Nations, but actually, by so doing, we are strengthening the United Nations?

Mr. WILEY. I agree that, at least, we are living up to the letter and the spirit of the United Nations in this way, and I think we also are building what might be called outer ramparts against the time, if ever it shall come, and pray God it will not, when America may be attacked.

We are building allies, we are building strength, and I think we are saying to the Kremlin—not to the Russian people, but to the Kremlin—"thus far, and no farther." This Nation of ours is going to stand firm and to protect the great rights of which we are the custodians. Our American way of life is something all peoples want, and we would like to have other nations and other peoples enjoy the same liberties which we have.

We know that defensive pacts of this kind do not, in the slightest, infringe upon Russia or the Kremlin; we simply say that we do not want communism to take over the West or to interfere with our way of life. I think that pacts such as this cannot fail to prove very helpful in stabilizing the world.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the names of the members of the United States delegation to the meeting on the Southeast Asia Pact, held at Manila, on September 6, 1954, be printed at this point in the RECORD.

In my opinion, the United States delegation was an intelligent, tireless group, the members of which worked night and day, contributed greatly to the success of the meeting because of their ability and understanding, and, therefore had much to do with the success of the Manila conference. They were persons of whom the United States of America could well be proud.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The names of the United States delegation are as follows:

UNITED STATES DELEGATION TO THE MEETING ON THE SOUTHEAST ASIA PACT, MANILA, SEPTEMBER 6, 1954

United States plenipotentiary representatives:

John Foster Dulles, Secretary of State.

H. Alexander Smith, United States Senator from New Jersey.

MICHAEL J. MANSFIELD, United States Senator from Montana.

Roderic L. O'Connor, special assistant to the Secretary.

Delegation coordinator:

Douglas MacArthur II, counselor, Department of State.

Special advisers:

Arthur C. Davis, vice admiral, United States Navy, Deputy Assistant Secretary for International Security Affairs, Department of Defense.

Carl M. McCardle, Assistant Secretary of State for Public Affairs.

Herman Phleger, legal adviser, Department of State.

Ambassador William J. Sebald.

Raymond A. Spruance, American Ambassador to the Republic of the Philippines.

Press officer:

Henry Suydam, Chief, News Division, Department of State.

Advisers:

James D. Bell, officer in charge, Philippine Affairs, Department of State.

Chester L. Cooper, Office of Chinese Affairs, Department of State.

James Cross, Bureau of Far Eastern Affairs, Department of State.

John E. Dwan, lieutenant colonel, United States Army, Department of Defense.

William J. Galloway, Office of the Counselor, Department of State.

Outerbridge Horsey, officer in charge, commonwealth affairs, Department of State.

William S. B. Lacy, American counselor of Embassy, Manila.

N. Paul Neilson, Deputy Assistant Director for the Far East, USIA.

Charles C. Stelle, policy planning staff, Department of State.

Charles A. Sullivan, Chief, American and Far East Division, Office of Foreign Military Affairs, Department of Defense.

Deputy Coordinator:

Walter N. Trulock, Executive Secretariat, Department of State.

Reports officer:

Eugene V. McAuliffe, Executive Secretariat, Department of State.

Administrative officer:

Bruce Grainger, Division of International Conferences, Department of State.

Mr. LANGER. Mr. President, as a member of the Committee on Foreign Relations, I cast the lone vote against reporting the treaty favorably to the Senate. Whether folks agree with me or not, at least I have been consistent. I voted against the Connally resolution; I voted against the Vandenberg resolution; I voted against the United Nations Charter; and I voted against practically all the giveaway programs with the exception of UNRRA, to which we became a party in order that we might assist in feeding the hungry and clothing the naked.

I am one who believes that the United States of America ought to mind its own business and to keep out of foreign entanglements all over Europe and Asia.

When the public hearings were held I was delighted to have appear there a man who has had a world of experience, a man who for many years was a leading member of the House Committee on Foreign Affairs, Hon. Hamilton Fish. I remember that the first man killed in the Spanish-American War was a cousin of Hamilton Fish, a man by the same name—Hamilton Fish. So, certainly, the patriotism of the Fish family cannot be challenged.

The record of Mr. Fish as a Member of Congress was an outstanding record against communism. He fought against communism at every turn of the road. He was attacked, time and time again, in the press of this country, on the platforms, and on the radio, by those who favored communism. So I cannot let this opportunity pass without bringing to the attention of the Senate, futile as it may prove to be, the testimony of one of the outstanding men of America, the Honorable Hamilton Fish.

When he appeared before the Committee on Foreign Relations on January 19 last, he said:

> I appear here in my capacity as an American citizen and as a former Member of Congress who served for more than a score of years on the Foreign Affairs Committee of the House of Representatives.

Mr. President, for 20 years, or more, Mr. Fish was a member of that committee. He is a man who has been profoundly interested in the welfare of his country. Mr. Fish said further:

> More particularly I appear before the Senate Committee on Foreign Relations, as president of * * *, a nationwide, nonpartisan political committee to combat communism, socialism and superinternationalism. Our committee considers the pending treaty as the worst and most dangerous type of one-worldism and interventionism ever presented to the Congress. It is a clear-cut example of superinternationalism that would inevitably drag us into a jungle war 10,000 miles away and actually play into the hands of the Communists at Moscow.
>
> It is not even based on our own security or self defense except in words, platitudes and generalities.
>
> I thank the committee for this open hearing and for listening to my views in opposition to the so-called Southeast Asia Defense Pact. I use the word "so-called" advisedly, as it does not include the four largest southeast Asian nations. Furthermore, we own no territory in the Far East, and France will soon have none. Besides, both France and Britain are both regarded as predatory colonial powers in the Far East.

They were referred to a short time ago, by my distinguished colleague from Wisconsin [Mr. WILEY], as Western colonial powers. The Senator also mentioned the fact that four of the countries had not joined in the pact, but he said, in response to a question by the Senator from Alabama [Mr. SPARKMAN], that the door was still open.

Mr. Fish continued:

> I plead for an extended hearing and debate so that the American people will know all the facts and the inevitability of war involved in this pact. I plead that ample time be allowed the American people to read, learn, and thoroughly digest the warmaking provisions of this treaty before it is too late. At the present moment the American public, and including most Members of Congress except this committee, have not the faintest idea of the extreme war commitments made in this treaty. The fact is the American people have almost no knowledge of even the existence of such a hazardous warlike treaty.

I am mindful of the fact that not one-tenth of 1 percent of the American people had or have any idea or knowledge that President Eisenhower, Secretary Dulles, and Chief of Staff Admiral Radford had agreed, on April 28, 1954, with the French Government to enter the war in Indochina by using our airplanes and naval units there. This would have meant an all-out war within a few days as the Red Chinese armed forces would have poured into Indochina immediately and that was so stated by the British Foreign Minister, Anthony Eden.

Mendes-France has openly admitted this war agreement and publicly stated that President Eisenhower planned to take the issue to Congress for its approval on April 28, 1954. The one individual who stopped this war from being consummated and this crime against the American people was Winston Churchill, who had previously helped to drag us into World War II.

If I could but call up the spirits of Washington, Jefferson, Jackson, Lincoln, and many other great Americans of the past, they would, in no uncertain language, warn the American people that they are being betrayed into perpetual wars through foreign entanglements, alliances, and treaties that provide for sending American boys to fight and die in every swampland, jungle, and ricefield on the mainland of Southeast Asia. This Southeast Asia Defense Treaty is more than a meaningless scrap of paper; it well may be the death certificate of a million or more of the selected youth of America in the bloody jungles of Indochina, Cambodia, Laos, and Thailand.

In that connection, Mr. President, I wish to refer to article II of the treaty. I now read it:

In order more effectively to achieve the objectives of this treaty, the parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

In other words, if there should be an uprising in any one of the countries which is a party to the pact, or if certain peoples living under colonial regimes should not like those who were governing them, and should take some action, all that would have to be done would be to charge such movements as being communistic, and immediately the United States would be called upon to take action. If such a treaty had been in force among the nations of Europe at the time of the Revolutionary War, the United States would still belong to Great Britain.

I continue to read from the statement of Mr. Fish:

The time has come for an open public debate before the American people whether they favor this new brand of superinternationalism that causes us to virtually police the entire world singlehanded with American blood and treasure and at our own instigation. The American people were never consulted about sending their sons to fight and die in Korea with only token support from the U. N. forces. But South Korea, surrounded on three sides by the ocean which we controlled, was incomparably better fighting ground than the malarial swamps and jungles of Southeast Asia. At least, we had a moral obligation to the South Koreans, but we have absolutely none on the mainland of Southeast Asia.

As Al Smith used to say, "Let us look at the record and see what the record discloses." The fact is, due to U. N. interference and our own State Department intervention, Gen. Douglas MacArthur was forbidden to bomb the bridges over the Yalu River. Our Armed Forces were greatly outnumbered and driven back to the northern boundary of South Korea, where the war ended in an unsatisfactory armistice. It was the first great defeat of an American Army in our entire history. It also became the most unpopular war in our history, as evidenced by the desire of all our people to end the useless, stalemated United Nations fighting, where we put up 90 percent of the men and money.

In my opinion, Mr. President, that situation was directly responsible for the victory of the Republican Party in the national election that followed. I believe the American people overwhelmingly voted for Dwight Eisenhower because they thought he would go to Korea and get our boys home. I believe that the people of the United States are just as determined today that we shall not become involved in all the troubles of Europe and Asia which apparently we are getting into by one treaty after another.

I continue to read from the statement of Mr. Fish:

Despite the Korean fiasco and its bloody holocaust it is now seriously proposed that we enter into a binding treaty requiring us to send our Armed Forces to fight in defense of four small nations on the mainland of Asia where, I repeat, we have no moral obligations or interest as we did in Southern Korea. The fact that India, Indonesia, and Burma, the three largest nations in Southeast Asia, refused to join or cooperate with the proposed defense pact shows clearly that there was something wrong about it from the beginning.

With India, Indonesia, and Burma out it is obviously built on shifting sands without permanent or moral foundations. It has the earmarks of being made in America and backed by dollar diplomacy, and that may be why we failed to enlist the actual or even moral support of the three largest South Asian nations.

From an American point of view, it is a preposterous, suicidal proposal that could involve us in disastrous wars within a short time after the ink on the treaty is dry and last many years—that is, if the terms of the treaty are adhered to and we mean what we say.

As the distinguished Senator from Wisconsin said a few moments ago, when the United States signs a treaty, it does not regard it as a scrap of paper.

I continue the quotation from Hamilton Fish:

Unfortunately in recent years we have acquired a habit of letting our friends and allies down as we did in China in 1945–48 and in Poland at Teheran and Yalta. Toward China and Poland we had the highest possible moral obligations and understandings. They both have a right to renounce our actions as a great betrayal that turned them over into Communist slavery. I do not advocate ratifying a treaty unless it is meant to be kept. That is why I am 100 percent against the Southeast Asia Collective Defense Treaty. It is a deceptive treaty with fine sounding but useless terms. The very term "collective defense treaty" is virtually meaningless, and if I did not have a high respect for three honorable gentlemen who signed it as our delegates I would use a much stronger and more apt word. There is nothing collective about this treaty except to deceive the American people and make it sound acceptable.

Does any fair-minded person believe that the French who will soon be out of the Far East will send any armed forces or that Britain will send more than a token force, if any at all? I anticipate that the British will not be so interested when the zero hour arrives, owing to its possessions at Hong Kong and Singapore, and growing trade with Red China. Furthermore, I doubt if New Zealand, Australia, or the Philippines will transport more than token forces for the Asian mainland if the British sidestep the fighting by saying they have their hands full in Malaya.

If the treaty is ratified, Uncle Sam will again be holding the bag and doing all the fighting, dying, and paying. This will not appeal to the American people once they know the facts. I propose, in my limited way, to help give them the facts and the awful truth as it affects the lives of their sons. I hope that I may be able to influence some Senators to come out fighting against this program of military intervention in Southeast Asia before it is too late. This treaty, if ratified, will confront the United States with a war crisis in a hydrogen age.

The fearless, outspoken leadership of Senator Taft against military intervention in Southeast Asia is tragically missed. He would have inspired and rallied the Congress and the American people to violent protests against this treaty requiring military intervention in Indochina, Thailand, Cambodia, and Laos. He would have warned the American mothers and fathers that it meant that their sons would do the fighting and dying and not British or French or U. N. forces. He would have repeated his protest against sending a single American soldier to the mainland of Asia. From the grave comes the sound logic and practical reasoning of Senator Taft, a great American statesman who, shortly before his death, in a speech delivered by his son at Cincinnati, May 26, 1953, said: "I believe we might as well forget the United Nations as far as the Korean war is concerned."

Mr. President, I have been quoting from a statement by Mr. Hamilton Fish, who, I repeat, for more than a score of years was a member of the Foreign Affairs Committee of the House of Representatives, whose honor and patriotism have never been successfully attacked, and whom the Communists hated and feared while he was in the Congress more perhaps than any other Member of the entire Congress.

Mr. Fish also said:

I confess that I am willing to rush in where angels—Senators—fear to tread, because I am convinced that if this Southeast Asia pact is ratified it will result in a huge sacrifice of American lives and treasure in vain, in the jungles of Vietnam, Cambodia, Loas, and Thailand. Why should American boys be slaughtered in the rice paddies of Southeast Asia in a bloody war with countless hordes of fanatical Communists? It would be a fight against terrible odds with the chances against us far more than they were in Korea. Why drain the best blood of our American youth in a suicidal war that we cannot win, and fall into the bloody boobytrap that Moscow and Peking have set for us in Indochina and Thailand? It would be a perpetual slaughterhouse for American soldiers. For every thousand we send, Red China can send her tens of thousands. Besides, we would be in an unenviable position of substituting ourselves for French or British colonialism. No matter what noble platitudes we used the Communist propaganda will depict us as foreign invaders or devils come to exploit Asiatics and reestablish colonialism and imperialism.

Let's be realistic. The Orientals are brave and fatalistic fighters with a will to fight, and when trained, are efficient in the use of military weapons. Nothing would please the Red general staff at Moscow more than

transporting an American Army into Indochina to be bogged down in the swamplands and jungles of Southeast Asia. There is not a Russian soldier within a thousand miles. Naturally the Red army generals at Moscow would celebrate such an event with vodka as a windfall and a bloodless victory for them.

If we must fight Soviet Russia or even Red China we should choose the battleground where we have the best chance of winning and not of losing. We must not enter into any commitment to fight, no matter what our sympathies, in a hopeless jungle war where the enemy would have every advantage. I have no objection to a mutual defense pact with the Philippines, Australia, New Zealand, Formosa, and Japan, where our Navy and Air Force, together with that of Great Britain, would be more than sufficient to prevent an invasion in force and would be efficiently supported by the land forces in those countries. I agree with Senator Taft and am unalterably opposed to sacrificing a single American life in the jungles and swamps of the Southeast Asian mainland.

Mr. President, I have been reading from the principal part of the statement made by Mr. Fish in opposition to the treaty which is now before the Senate. On that occasion, Mr. Fish also said:

The proposed treaty is one-worldism carried to its logical and highly dangerous and war-provoking conclusion. No American is more bitterly opposed to the terrible evils and menace of world communism than I am. That is why I am against any suicidal military intervention on the southeast mainland of Asia, where the chances are all against our winning.

I am in sympathy with most of the views of Senator KNOWLAND and Senator MCCARTHY on Red China. I favor initiating an economic boycott to compel her to free not only our 11 air pilots but probably hundreds of other American soldiers rotting in Chinese prisons. If a boycott is not successful then I would favor a naval blockade 12 miles from the Chinese coast. I am not in favor of dropping bombs or a shooting war. I believe once Red China understands we mean business they would release our prisoners.

I am very proud of my record in Congress against intervening in World War II before the Jap attack on Pearl Harbor. Our former enemies are now our most reliable allies. I opposed our intervention in the war against Germany, as I knew then, and so stated, that she was the main barrier against the menace of world communism and that if Germany was defeated, Soviet Russia would swallow up Eastern and Central Europe. Today I favor the armament of Germany and creating an invincible fortress across Germany supported by the NATO armed forces. The only thing Moscow fears and respects is armed might—not paper armies.

The same is true of Red China. She has no fear of a bamboo curtain in Indochina or in the swamps or jungles of Southeast Asia. She could keep the jungle fighters in Vietnam supplied with arms, munitions, and food for an unlimited time, or as long as our troops survived on the mainland of Southeast Asia. I am appealing to you Senators not to substitute by this proposed treaty an inevitable and more ghastly Indochina and Thailand for a tragic Korea. It is my honest conviction that if the American people knew what war commitments were contained in this treaty, that there would be an avalanche of public opinion against any war intervention in the southeast mainland of Asia.

If this treaty is ratified, it will be an evil day for America. It would inaugurate a ghastly and tragic policy for which we will pay in blood, sweat, and tears for generations to come. Why not consult the American people before making any binding war commitments? Not one American in ten would favor our entrance into war in Vietnam, Cambodia, Laos, or Thailand. Nothing would be more unpopular. We cannot afford to squander our wealth, resources, or manpower all over the world without weakening our own economy and national defense, a condition which Moscow ardently desires. We must keep out of wars especially selected by Moscow and Peiping irrespective of our sympathies. We must stop our ceaseless campaign of rampant internationalism, one-worldism, and military intervention all over the entire world.

In conclusion, I am opposed to any military commitments that will involve us in a frightful jungle warfare in Indochina or Southeast Asia which would keep us tied down for years, provided we were not driven out by the Red hordes from China. We must not forget that Western Germany is the decisive battleground. We cannot police the world alone or act as military protector for either French or British imperialism in the Far East or elsewhere. We should concentrate our Armed Forces in Western Germany and Korea, arm the Japs, and choose our own battleground whenever necessary and not be committed by treaty to be drawn into jungle boobytraps in Southeast Asia.

If the Eisenhower-Dulles-Stassen policies involve us in a jungle war on the Asian mainland there will be a political revolt such as has never been seen in this country. One hundred million Americans or more would resent it bitterly if a small handful of rabid interventionists, internationalists and one-worlders succeed in dragging us into a bloody, costly, and disastrous jungle war in Asia.

The American Political Action Committee is opposed to preventive wars, global intervention, police actions, or sending American boys to fight throughout the world without the consent of Congress. It is, and so am I in favor of the ratification of the Formosa defense pact. I have presented my reasons to your distinguished committee for urging the defeat of this dangerous war pact by the Senate. I have no quarrel with anyone who holds opposite views for that is still the free American way. I do, however, offer for your consideration and that of the Senate a reservation that might somewhat lessen the dangers involved in the terms of the impending treaty and thereby assure our not being involved in war without definite consideration and action by Congress.

Reservation: No United States ground, air, or naval forces shall engage in any defense actions in accordance with the provisions of this treaty before the Congress has consented to their use against Communist armed attack or armed aggression by a declaration of war.

Mr. President, in conclusion I simply wish to say that I am opposed to this treaty, and I intend to vote against it. There have been a great many times when I have voted alone on various measures. I believe in my conscience that the Senate is making a mistake in ratifying this treaty, just as I believe the Senate will be making a mistake in ratifying the treaty with Nationalist China. Therefore, I shall vote against both of them.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bridges	Clements
Allott	Bush	Cotton
Anderson	Butler	Curtis
Barrett	Byrd	Douglas
Beall	Capehart	Duff
Bender	Carlson	Dworshak
Bible	Case, N. J.	Eastland
Bricker	Case, S. Dak.	Ellender
Ervin	Knowland	Payne
Flanders	Kuchel	Purtell
Frear	Langer	Robertson
Fulbright	Lehman	Russell
George	Long	Saltonstall
Goldwater	Magnuson	Schoeppel
Gore	Malone	Scott
Green	Mansfield	Smathers
Hayden	Martin, Iowa	Smith, Maine
Hickenlooper	Martin, Pa.	Smith, N. J.
Hill	McClellan	Sparkman
Holland	McNamara	Stennis
Humphrey	Millikin	Symington
Ives	Morse	Thurmond
Jackson	Mundt	Thye
Jenner	Murray	Watkins
Johnston, S. C.	Neely	Welker
Kefauver	Neuberger	Wiley
Kerr	O'Mahoney	Williams
Kilgore	Pastore	

Mr. CLEMENTS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. DANIEL], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from Texas [Mr. JOHNSON] and the Senator from Massachusetts [Mr. KENNEDY] are absent by leave of the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Missouri [Mr. HENNINGS] are absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

I also announce that the Senator from Michigan [Mr. POTTER] is absent on official business as a member of the American delegation attending the 10th anniversary of the World War II Battle of Alsace, at Colmar, France.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

If there be no objection, the pending treaty and the protocol thereto will be considered as having passed through their various parliamentary stages, up to the consideration of the resolution of ratification.

The resolution of ratification will be read.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive K, 83d Congress, 2d session, the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. On this question the yeas and nays have been ordered. The Secretary will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. DANIEL], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

The Senator from Texas [Mr. JOHNSON] and the Senator from Massachusetts [Mr. KENNEDY] are absent by leave of the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ], and the Senator from Missouri [Mr. HENNINGS] are absent because of illness.

I further announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Oklahoma [Mr. MONRONEY], if present would vote "yea."

Mr. GEORGE. I wish to announce that the junior Senator from Kentucky [Mr. BARKLEY], who is a member of the Committee on Foreign Relations, voted for the treaty in committee. If he were present he would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

I also announce that the Senator from Michigan [Mr. POTTER] is absent on official business as a member of the American delegation attending the 10th anniversary of the World War II Battle of Alsace, at Colmar, France.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Michigan [Mr. POTTER], and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The yeas and nays resulted—yeas 82, nays 1, as follows:

YEAS—82

Aiken	George	Morse
Allott	Goldwater	Mundt
Anderson	Gore	Murray
Barrett	Green	Neely
Beall	Hayden	Neuberger
Bender	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bridges	Humphrey	Purtell
Bush	Ives	Robertson
Butler	Jackson	Russell
Byrd	Jenner	Saltonstall
Capehart	Johnston, S. C.	Schoeppel
Carlson	Kefauver	Scott
Case, N. J.	Kerr	Smathers
Case, S. Dak.	Kilgore	Smith, Maine
Clements	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Curtis	Lehman	Stennis
Douglas	Long	Symington
Duff	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Welker
Ervin	Martin, Pa.	Wiley
Flanders	McClellan	Williams
Frear	McNamara	
Fulbright	Millikin	

NAYS—1

Langer

NOT VOTING—13

Barkley	Hennings	Monroney
Bennett	Hruska	Potter
Chavez	Johnson, Tex.	Young
Daniel	Kennedy	
Dirksen	McCarthy	

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

Mr. MORSE. Mr. President, I shall be exceedingly brief in my remarks on the Southeast Asia Treaty, since the vote has already been taken.

I did not expect that the debate on the treaty would be as brief as it was. I was in conference with Mr. J. A. Hoffbuhr and Mr. Glenn Jackson, of Oregon, on a very important Oregon problem involving the Talent Irrigation District project. That project was omitted from the President's budget message, and its omission does a grave injustice to the people of Oregon in respect to the development of the State's natural resources.

The matter is so important to my State that I was in conference with Mr. Hoffbuhr and Mr. Jackson when the Senate debate on the Southeast Asia Treaty was progressing. I had expected to make these remarks during that debate and prior to the vote of ratification. But in view of the fact that they are remarks in explanation of my vote for ratification, the important thing now is simply to have them in the RECORD for future reference.

As a member of the Committee on Foreign Relations, after listening very carefully to the hearings on the treaty, I voted to report the treaty to the Senate for ratification. I did so for several reasons, the most primary one of which is that there is no doubt in my mind that the treaty is in conformity with the United Nations Charter. There is no doubt in my mind that the treaty is in the same conformity with the United Nations Charter as was NATO, because the United Nations Charter contemplates and authorizes, within its term of reference, the making of treaties or alliances of this nature in the interest of preserving peace in the world.

But I wish to make it very clear in this brief speech that, in my judgment, the hope for peace in the Pacific rests with the United Nations. In these days, we in America ought to be frank enough to confess that the hope for peace in the Pacific does not rest with the United States, with Red China, or with Red Russia, on the basis of any unilateral course of action those powerful nations may follow in Asia. I am very fearful—and this explains in large measure the position I took last week in the historic debate in the Senate—that if the course of action, so far as peace or war in Asia is concerned, is left to the determination of the United States, Red Russia, or Red China, that the Communists will commit some provocation which will throw us into an Asiatic war. I am also fearful that the Nationalist Chinese may commit some act of provocation that will give the Communists some propaganda excuse for committing an act of war against our forces in the Straits of Formosa or on or near the Quemoy or Matsu Islands. Thus I think that the cause of peace is crying out today for action by the United Nations in the settlement of the Formosan crisis.

In my judgment, the hope for peace in Asia rests upon our conforming to the principle of international justice through law, which is the base on which the entire United Nations Charter rests.

Oh, I know that when one makes such a statement in the United States Senate, he will be subjected to severe criticism. But I repeat what I said in the debate last week: There are in America at this hour powerful forces who want to go to war; and so long as those forces, many of whose representatives sit in high positions, continue their efforts, and so long as that great danger to peace in the world exists within my own country, I shall raise my voice in a plea for the assumption by the United Nations of jurisdiction over the threat to a third holocaust in Asia.

In my judgment, the southeast Asia treaty greatly strengthens the chance that the United Nations will be able to help preserve peace in the world. I voted for the treaty in committee, and I voted for its ratification on the floor of the Senate today, because article I provides, in principle, what ought to have been included in the joint resolution passed by the Senate last week. In the joint resolution passed by the Senate last week there should have been a clear rededication to the United Nations. Article I of the Southeast Asia Treaty rededicates the United States and the other signatories, at least through the framework of the treaty, to the principle of the jurisdiction of the United Nations. Listen to this language:

ARTICLE I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Mr. President, that is the lesson we ought to speak into the teeth of the Communists around the world 24 hours of the day and night in these critical days. We must make it clear and leave no doubt or uncertainty in the minds of the Communist segment of the world that the United States of America stands shoulder to shoulder with the other free nations in fighting the cause of peace through the principles and the framework of the United Nations, and that it is not our purpose or desire by way of a resolution, as was done last week, or otherwise, to give to the President of the United States a pre-authorized power to commit an act of war on the mainland of China. Nothing which has transpired since the action which the Senate took last week raises the slightest doubt as to the soundness of the statement made by the senior Senator from Oregon in that debate that one of the acts authorized by the resolution was a strike against the mainland of China if the President should deem it desirable in defense of Formosa even though no act of war had been committed against us.

If we read the statements which are coming out of the capitals of the world these days, that is the fear of statesmen in other countries. That is why I think it is so important that before any more time passes the Senate of the United States should make it perfectly clear that we are working for peace through the United Nations. The Southeast Asia treaty pledges us to do that.

Mr. President, I call attention to section 2, article IV, of the treaty, as follows:

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

That is a pledge, in my judgment, to resort to peaceful procedures to settle disputes, and it is an indication of the realization on our part that we are not going to avoid war by resorting to military threats.

I call attention next to article VI of the treaty, as follows:

ARTICLE VI

This treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each party declares that none of the international engagements now in force between it and any other of the parties or any third party is in conflict with the provisions of this treaty, and undertakes not to enter into any international engagement in conflict with this treaty.

There again we have made crystal clear and have emblazoned in the treaty the proposition that the United States repledges itself to seek peace in the world through the procedures and policies of the United Nations.

That is why I voted in committee to recommend ratification of the treaty, and that is why on the floor of the Senate today I voted for the ratification of the treaty.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement which I released to the press about an hour ago, expressing my deep regret and my great concern over the fact that at a meeting of the Committee on Foreign Relations this morning the committee postponed consideration of the Humphrey resolution.

The Senate will recall that in the closing minutes of the debate on the joint resolution which was before the Senate last week, the Senator from Minnesota [Mr. HUMPHREY] offered a resolution, of which I became one of the cosponsors, which in effect would make it clear that it was the sense of the Senate of the United States that the United Nations should proceed to use its good offices and procedures to the end of seeking to effect a cease-fire order in Southeast Asia, where the ominous threat of a Formosa war hangs over the world like an ugly cloud.

I say, Mr. President, as I said in the Committee on Foreign Relations this morning, and in my statement released to the press an hour ago, that had the principle of the Humphrey resolution been written into the joint resolution which was before the Senate last week, both the nature and the content of that debate would have been greatly different, because there were those of us, as the RECORD will show, who pleaded then for the Kefauver substitute, which was bottomed upon the proposal to have the United Nations take over jurisdiction of this very serious international crisis.

Mr. President, I am greatly saddened that there should be a postponement of the consideration of such a resolution; and I am greatly saddened that there is any colleague of mine in the Senate of the United States who would rationalize any postponement of such consideration on the ground that if the resolution should come to the floor there might be acrimonious debate, and amendments might be offered to the Humphrey resolution which might raise questions as to whether we in the Senate of the United States are unanimously behind the United Nations. The world ought to know. The world is entitled to know. The American people ought to know. The American people are entitled to know.

Mr. President, as a lawyer who has tried to understand some of the principles of international law, I desire to say that so long as this country is a member of the United Nations, never will I take the unlawyerlike position of saying that this country should serve a threatening notice on the United Nations, which has jurisdiction which it ought to exercise, that we will abide by a cease-fire order in southeast Asia if the terms of that order are to our liking, but we will not if the terms are not to our liking. We are not going to promote an international system of justice through law by proceeding on any such premise as that.

No member of this body is more opposed to the recognition of Red China than is the senior Senator from Oregon. However, Mr. President, I am not going to try to circumvent the United Nations or to bypass the jurisdiction of the United Nations by giving countenance to any fear arguments that the Humphrey resolution might put us in a position of having to abide by a decision of the United Nations that we might not like. One of these fear arguments being made by some of my colleagues in the Senate is to the effect that if we adopt the Humphrey resolution, any Senator voting for it would then be estopped from protesting any proposal of the United Nations that Red China should be admitted into the United Nations. This argument seems to be based on the false assumption that we should lay down a condition precedent to our calling upon the United Nations to try to settle the Formosan dispute and that condition should be that if Red China is admitted to the United Nations, we will not accept the decision of the United Nations. I cannot imagine the United Nations voting to admit Red China on the basis of the many violations of international agreements and diplomatic immorality of which Red China has been guilty. I think our opposition in the United Nations expressed time and time again by the American Ambassador against the admission of Red China has been a sound opposition on the merits of the issue.

It should be stressed in this debate that each time the issue has come before the United Nations General Assembly, an overwhelming majority of the members of the assembly have agreed with us. However, I am willing to meet head-on what I think is a false assumption of some of the opponents to the Humphrey resolution. My answer to them is that if we should lose an argument on the Red China admission issue before the United Nations and are outvoted, we should not take the position of going it alone in international affairs outside of the United Nations. I believe that if we ever adopt a go-it-alone policy, the world will be plunged into war because of the consequences that are most likely to follow from such a unilateral course of action on the part of the United States.

We are not going to promote world peace in that way, Mr. President. In this great struggle of the century, a struggle for freedom which may last for a hundred years, we have got to learn that we are not going to have formulated overnight a system of international justice through law. It is going to require an evolution of thought to bring all people to a realization of the great superiority of settling international disputes by rules of reason instead of by resorting to the jungle law of military force or threats.

So long as I sit in this body, Mr. President, I shall never be a party, under the oath I took when I became a Member of the Senate, to a proposal that we should accept the jurisdiction of the United Nations so long as its decisions may conform with what our predetermined self-interests may dictate. That would merely be feeding the furnaces of Communist propaganda. That is why I issued my press statement an hour ago. It is pertinent to my position on the Southeast Asia Treaty, because I am worried, disturbed, and frightened by the attitude which exists in so many places in our country today. We cannot even talk about living up to the jurisdictional responsibilities of the United States under the United Nations without running into the fallacious argument of the preventive war advocates that unless we can have our way in the United Nations, we will go it alone in Southeast Asia.

My warning may fall on some deaf ears across the country, as it is falling for the most part on empty seats in the Senate of the United States at this moment; but I say to my colleagues in the Senate that what has happened in the last few hours—the last 72 hours—has convinced me that the rank and file of the American people are listening attentively to the warnings of the results which may follow unilateral action in the South Pacific. They are pondering the dangers of this war crisis more attentively than are some Members of the United States Senate. I think the voice of American public opinion is raising itself in clarion tones which should be heeded by Members of the United States Senate.

The people expect this body to rededicate itself to the jurisdiction of the United Nations as the greatest force in the world today for maintaining peace in the world. I think the treaty to which we have just given our advice and consent to the President, is a great step

forward in an attempt to help preserve and strengthen the bulwarks of peace. It represents what I argued for last week, namely, one of the calculated risks for peace. Again today I am pleading that we assume greater risks for peace. I am pleading that we be willing to lay before the United Nations questions involving the fate of the world, whether there shall be peace or war, and, on the basis of its decisions, if they are made within its jurisdiction, to rest our cause. I am pleading that we use the United Nations as our forum for the presentation of America's points of view as to what should be done to secure peace, and that we try to convince the United Nations that any of the fears which may have been expressed this morning by some of my colleagues as to what the United Nations might do are groundless. That is my plea, and that also, Mr. President, is my explanation both for my vote upon the treaty and for my press release on the Humphrey resolution, which I now ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

Senator WAYNE MORSE, Independent of Oregon, issued the following statement today on the decision of the Foreign Relations Committee to postpone until a later date action on the Humphrey Resolution, of which MORSE is one of the cosponsors calling upon the United Nations to take prompt action to bring about a cease-fire in the area of hostilities off the coast of China and in the Formosa Strait:

"I deeply regret that the Foreign Relations Committee of the Senate decided at a meeting this morning to postpone action on the Humphrey resolution which states 'That it is the sense of the Senate that it would be in the interest of the United States and of world peace for the United Nations to take prompt action to bring about a cease-fire in the area of hostilities off the coast of China and in the Formosa Strait, and the President is requested to take appropriate steps to achieve that objective.'

"It is my opinion that in this very critical hour of world history, when the issue between war or peace is nip-and-tuck, the Senate should pass the resolution without delay, and thereby give assurance to our allies in the United Nations that we accept and respect the jurisdiction of the United Nations. The passage of the resolution would also serve clear notice on Red Russia and Red China that we intend to stand shoulder to shoulder with the free nations of the world in preserving peace. The resolution also would be an effective answer to the vicious, lying Communist propaganda that the United States insists upon following a unilateral course of action in Southeast Asia, unless the United Nations accepts the American point of view on all phases of foreign policy questions which have arisen over the defense of Formosa and such coastal islands as Quemoy and Matsu.

I fear that the postponement of action on the resolution will be misunderstood and in some capitals of the world misinterpreted. It is important that the United States make crystal clear to the world that we seek an honorable peace in Southeast Asia, and that we accept the jurisdiction of the United Nations in its endeavor to bring about a solution of the serious threat of war by way of the procedures of the United Nations Charter, based upon the goal of settling international disputes by applying the principles of international justice through law.

It is my view that no postponement of consideration of the Humphrey resolution can be justified on the basis of any threat or fear that an immediate consideration of it would result in debate on the floor of the Senate over amendments to the resolution which would be offered by some who seem to be of the opinion that we should seek to restrict the United Nations as to the terms and conditions that it might recommend for a cease-fire order. My answer to that rationalization for postponing action on the resolution is simply to say—let such a debate come. It would be a further lesson to people in other countries as to the superiority of our system of political freedom and constitutional processes. Further, I say let such a debate come because now is the time to find out whether we are going to accept the jurisdiction of the United Nations.

The principles of the Humphrey resolution should have been written into the resolution that was passed by the Congress last week. If that resolution had clearly pledged the United States to accept the jurisdiction of the United Nations over the Formosan issue, the entire nature and content of the Senate debate would have been different.

The failure to take early action on the Humphrey resolution only tends to strengthen the fears of many of us who believe that there are powerful forces in America both in and out of the Congress and in other branches of the Government who are seeking a showdown war with Red China and Red Russia now.

I am confident that we can and will fight such a war successfully, if it should be forced upon us by an act of war committed against us or against our allies. But I think we should be very careful to see to it that we follow a course of action that will leave no room for doubt in any capital of the world of our complete willingness to follow the jurisdiction of the United Nations under the charter of which we are a signatory with all the solemn obligations that flow therefrom.

Mr. CASE of South Dakota. Mr. President, the junior Senator from South Dakota cannot let this matter rest on the remarks of the senior Senator from Oregon [Mr. MORSE], if his remarks would imply in any way a modification of what I definitely understood to be the portion of the President's proposal with respect to the place of the United Nations in meeting the situation in the Pacific.

During the debate in the Senate on January 28, last week, when I was speaking, the Senator from Vermont [Mr. AIKEN] asked:

Is it not a vital essential that we rely upon all means at our command, including our own Armed Forces, until such time as the United Nations has acquired the means to enforce its own decisions?

I read further:

Mr. CASE of South Dakota. When it comes to a matter of forces, yes. But I wish to affirm very definitely that the part of the message of the President in which he stated he would welcome action by the United Nations to obtain a cease-fire in the Formosa Straits was an integral part of his proposal.

Mr. AIKEN. That is true.

At that point I wish to read into the RECORD today the precise words of the President of the United States in his special message to the Congress, namely, the special message of January 24, when he submitted the Formosa proposal. In his message, as it appears on page 2 of the House Document 76, the President said:

Clearly, this existing and developing situation poses a serious danger to the security of our country and of the entire Pacific area and indeed to the peace of the world. We believe—

The President said—

that the situation is one for appropriate action of the United Nations under its charter, for the purpose of ending the present hostilities in that area.

Then the President said:

We would welcome assumption of such jurisdiction by that body.

The President went on to say:

Meanwhile, the situation has become sufficiently critical to impel me, without awaiting action by the United Nations, to ask the Congress to participate now, by specific resolution, in measures designed to improve the prospects for peace.

So, Mr. President, that was the reason why, on Friday of last week, I said:

I wish to affirm very definitely that the part of the message of the President in which he stated he would welcome action by the United Nations to obtain a cease-fire in the Formosa Straits was an integral part of his proposal.

Mr. President, I am not a member of the Committee on Foreign Relations. I do not know what transpired in that committee this morning, or what statements which may have been made there have alarmed the Senator from Oregon. But, as one Member of the Senate and, furthermore, as a member of the Committee on Armed Services, which heard the proposals as they were presented earlier last week by Secretary Dulles and by the head of the Joint Chiefs of Staff and by the Joint Chiefs of Staff themselves, I wish to state very emphatically that my vote for the Formosa joint resolution and my statement of last Friday were bottomed on the part of the message of the President in which he said he would welcome "appropriate action of the United Nations under its Charter, for the purpose of ending the present hostilities in that area."

That was an integral part of his proposal; and I repeat it today, and I wish to have it made a part of the legislative record.

Furthermore, I call attention to the other way in which the United Nations is implicated, insofar as we are concerned, in the action we took on last Friday; for, on last Friday, I said:

Furthermore, in my own thinking, I also place a good deal of reliance upon the fact that the authority the President requested would terminate when he reported to the Congress that the peace and security of the area had reasonably been assured through action taken by the United Nations or otherwise.

Mr. President, those words are taken from the last sentence of the joint resolution. So I pointed out that:

The last sentence of the joint resolution includes specific language to that effect.

Again I wish to read the last sentence of the joint resolution which was passed by the Senate on last Friday. That sentence reads as follows:

This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, and shall so report to the Congress.

Mr. President, I recognize that no one Senator can bind any other Senator's expressions, opinions, or thoughts; but it seems to me that the recitation of the statement in the President's proposal, to which I have called direct attention, namely:

> We believe that the situation is one for appropriate action of the United Nations under its charter, for the purpose of ending the present hostilities in that area.

And the further statement that "we would welcome assumption of such jurisdiction by that body" should be conclusive.

I cite those sentences in the message of the President, in submitting to the Congress the Formosa joint resolution, and the further sentence in the joint resolution itself, namely, that the authority of the joint resolution will terminate when the President reports that a cessation of hostilities or a satisfactory arrangement has been obtained "by action of the United Nations or otherwise."

Those specific references to the United Nations have written a record; and what any individual Senator may say as to his fear about what the United Nations may do or may not do cannot change the fact that the Senate acted upon that submission by the President, in which he welcomed action by the United Nations, and also on the wording of the joint resolution itself, which says that the authority it grants will terminate when the President reports that "the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise."

That record is written. While the junior Senator from South Dakota happened to call attention to these statements in his remarks of last Friday, they are a part of the RECORD; they are found in the President's proposal and in his message to the Congress, and a provision to the same effect is in the joint resolution itself.

Mr. President, my reason for emphasizing this is that I do not want individual expressions, either on the floor of the Senate or off the floor of the Senate, in any way to give to the country the impression that the Senate or the Congress is welshing in any degree upon the express reliance, which was written into the President's message on the joint resolution, upon the idea of expecting or welcoming action by the United Nations. True, it is that we said we would take action, if necessary, alone; but that was conditioned upon recognizing action by the United Nations when it came.

So I call attention to that because I think the country and the world should know that we do welcome action of the United Nations, and that we earnestly hope and pray that it may be successful in attaining what the joint resolution describes, namely, "that the peace and security of the area is reasonably assured."

Mr. MORSE. Mr. President, my reply to the Senator from South Dakota will involve these points:

First, there is no question about the fact that the President of the United States would welcome United Nations' intervention and participation in the Formosa situation. He said so in his message.

Second, there is no question about the fact that he is cooperating in the United Nations' attempt now to put on its agenda, as they have voted to do, a proposal for a cease-fire.

But the President's message is not a part of the joint resolution which was passed by Congress, and in the joint resolution there is no wording which involves an affirmative petition that the United Nations proceed to intervene in the case.

The Senator from South Dakota has referred to the language in the last paragraph of the joint resolution, which provides, in effect, that the joint resolution shall come to an end if certain conditions are fulfilled, one of which might be action by the United Nations. But that is not an affirmative request that the United Nations proceed to take jurisdiction. It is not an affirmative statement on the part of the Congress of the United States that we want our President to proceed through the United Nations. In this hour of crisis we ought to deal in the affirmative, not in the negative. We should be direct and not indirect in our approach to this crisis.

The second point I wish to make is that I am satisfied that President Dwight Eisenhower will do everything he can to avoid a war in the South Pacific. I have complete confidence in his intentions of peace. When I said earlier this afternoon that I fear what the result will be of peace or war in the Pacific if it is left to the unilateral action of the United States and Red China, and Red Russia, I meant it, in the sense that I fear that if the United Nations does not take jurisdiction and does not impose some prohibition—to use a descriptive term, a preliminary injunction against the disputants—until the United Nations can decide the issues on the merits, there is great danger that others besides the President of the United States may follow a course of action in the South Pacific which will involve us in a war.

That is my fear, and that is why I think it is so important to bring the United Nations into this question affirmatively, openly, and effectively at the earliest possible hour.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MORSE. I will not yield until I complete my reply to the Senator from South Dakota.

That is why I say I think it was so important that we should have incorporated in the resolution passed last week, the heart and substance of the Humphrey amendment or resolution. Do not forget, the Humphrey amendment was to be offered last week to the joint resolution. Do not forget that there were conferences in the cloakrooms, as there always are when matters of such vital concern are before the Senate.

It was urged, because of a technical parliamentary point, that the Humphrey amendment with respect to the United Nations had to be offered to a "whereas" clause; and an amendment to a "whereas" clause in the preamble could not be offered until a vote had been taken on the joint resolution itself. It was urged that perhaps what he ought to do was to submit the Humphrey amendment as a separate resolution, to be considered today. The chairman of the Foreign Relations Committee rose—and the RECORD will so show—and expressed approval of the so-called compromise of the parliamentary procedure which was entered into with the Senator from Minnesota and the others of us who were cosponsors of the Humphrey amendment to the joint resolution. It was stated that the proposed resolution would be taken up on Tuesday. We went along with that suggestion. There was no suggestion then by anyone that we would not proceed expeditiously and without delay to bring the resolution to the floor of the Senate.

I do not charge anyone with bad faith. I simply say that it is very disappointing, and I think unfortunate, that on the floor of the Senate today we are not debating the Humphrey resolution on the basis of a report from the Foreign Relations Committee. Instead, we are confronted with a situation in which the Foreign Relations Committee has postponed action on the Humphrey resolution.

What does that resolution provide? I am interested in finding out how many Members of the Senate dissent from it. I think the world ought to know to what extent the Government of the United States, through its legislative body, dissents from this resolution.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MORSE. I will not yield at this point, until I conclude this argument. Then I shall yield.

First, we have the so-called "whereas" clauses of the Humphrey resolution. The first such clause is:

> Whereas the President of the United States on January 19, 1955, stated that he would "like to see the United Nations attempt to exercise its good offices" with respect to arranging a cease-fire between Communist China and Nationalist China.

That is language from the message of the President, which the Senator from South Dakota has quoted. It is language in the message which I highly praised, because it reflects the spirit and intent of a policy which I think we ought to be following; but we ought to be following it as a matter of legislative action, and not by way of individual speeches by Senators or messages by the President.

The next whereas clause reads as follows:

> Whereas the President in his message of January 24 stated that the situation in the Pacific area "is one for appropriate action of the United Nations under its charter."

Again, a sentiment and a point of view with which I completely agree, and a statement by the President which I highly praised last week, because again, I think it is the course of action which the United States should follow:

> Whereas House Joint Resolution 159 provides that it shall expire when he determines that peace in the area is "reasonably assured by international conditions created by action of the United Nations or otherwise."

Again, that is language which the Senator from South Dakota has quoted, and upon which, along with the message of the President, he bottoms his case almost entirely; but it is not an affirmative request that the United Nations proceed. It is only the negative recognition that it might proceed, and that after it shall have proceeded, if it settles the controversy, the joint resolution we passed last week would automatically end.

That is an entirely different thing from the Congress of the United States amending a joint resolution, or the Senate approving an independent resolution saying that it is the sense of the Senate that the United Nations should proceed to exercise jurisdiction on this critical Formosan issue.

Next we come to the resolving clause. I should like to know now, as I expressed a desire to know in the Foreign Relations Committee this morning, what is wrong with such a request:

Resolved, That it is the sense of the Senate that it would be in the interest of the United States and of world peace for the United Nations to take prompt action to bring about a cease-fire in the area of hostilities off the coast of China and in the Formosa Straits, and the President is requested to take appropriate steps to achieve that objective.

That is in the affirmative. In my judgment, that is in line with our clear moral and legal obligations to the United Nations, so long as the signature of the United States is attached to the solemn document creating that organization. Why do we not do it? Let us look at a hypothetical or two.

I think the fallacy in the "fear" arguments of those who want postponement of the consideration of this resolution is that it does not follow that if all their fears should come to pass, we would then be in any different position than we shall be in if we do not approve the resolution.

As was brought out by one of my distinguished colleagues in argument this morning—and I thought it was an unanswerable argument—"Cite any major issue in connection with Formosa or Southeast Asia on which our allies in the United Nations have turned us down." We have won every point to date. Why have we won it? Because I think, on the merits of the argument, we have been able to show that we are right. Ambassador Lodge has won issue after issue because of the unanswerability of America's case. We have won the arguments in the United Nations because they have been based upon America's historic policy of peace and justice. That is why we have won them.

What are we afraid of now? We have no right to be afraid when our cause is just. Our cause is what? Defense of Formosa and the Pescadores—the defense of America's line of defense from the Aleutians down through Japan, the Philippines, Australia, and New Zealand. We have a legal obligation growing out of both the Cairo agreement and the Japanese Peace Treaty to see to it that no blood bath is visited upon the Nationalist Chinese on Formosa.

A new element has crept into this debate in recent weeks. In September the policy of this administration was that Quemoy and the Matsus were not vital to American interests in the Pacific, and not essential to the defense of Formosa. Since then something has happened. Now there are those who even suggest—and I am shocked by the suggestion—that perhaps we had better pretend the islands are essential, in order to use them for bargaining purposes. Anyone who advances that idea is advocating a principle which cannot be reconciled with America's dedication to the highest moral standards in the positions she has always taken in international negotiations. I do not believe we have a right to go into international negotiations by way of a subterfuge any more than I believe one of us has the right to sit down with an individual in a bargaining position and seek by subterfuge to obtain an advantage.

Either the islands are essential to our defense in the Pacific, or they are not. Either we have a legal claim to them, or we have not. I believe that the debate last week proved beyond the shadow of a doubt that we have no legal claim to the Quemoys and the Matsus. We have no legal right to be on the Quemoys and the Matsus. I believe we jeopardize our position in the Pacific if we assert such a right.

And, furthermore, Mr. President, I believe we feed the furnaces of Russian propaganda and Red China's propaganda to whatever extent we suggest that we are going to defend the Quemoys and the Matsus.

As Professor Morgenthau said in his great article which appeared in the Sunday Chicago Sun-Times, the Quemoys and the Matsus are not steppingstones to Formosa; the Quemoys and the Matsus are steppingstones to the mainland of China.

If we take the position that we can strike against the mainland of China in the event our military intelligence indicates that a strike is about to be made against the Quemoys and the Matsus, we have maneuvered America into an intolerable position so far as international judgment is concerned. I happen to be one who believes that the judgment will be against us if we strike the mainland of China because we believe a strike is about to be committed, or has been committed, for that matter, against the Quemoys and Matsus.

These have not been nights of 8 hours continuous sleep for me. No one can face these problems—and all of us have been greatly disturbed by them during the past few days—no one can face these problems as a United States Senator and go to bed and enjoy continuous sleep.

The problem that gives me sleepless hours is the difficult one of what we are going to do to protect the Nationalist troops on the Quemoys and Matsus. We cannot walk out on them and leave them to a blood bath.

That is why I am pleading for the most speedy possible action by the United Nations by way of some kind of temporary order, to use legal language, that will make clear to Red Russia and to Red China that a blood bath imposed upon the Nationalist Chinese troops on the Quemoys and the Matsus will be considered a violation of the obligations of peace which every nation under the United Nations Charter is obligated to defend and protect. Red Russia is a member of the United Nations, and she is the master of her servant, Red China.

Without being bound with any finality by this thinking out loud as to the kind of temporary order that should be made, I believe the United Nations ought to lay down, as soon as necessary procedures can be complied with, a clear statement that the Nationalist Chinese shall be allowed to withdraw from the Quemoys and the Matsus within a reasonable period of time, and that no attack against them will be tolerated by the United Nations. In that way we would be relieved of the unilateral threat that we have been making that we will respond alone.

I believe it is that threat that has so rocked the capitals of the world within the past few days.

Then, if the Nationalist Chinese take the position, in spite of the protection which the United Nations seeks to give them, that they nevertheless will stay on the islands, they will do so at their own risk as a participant in a Chinese civil war.

I do not believe the United States should become involved in a Chinese civil war over the Quemoys and the Matsus. If the Nationalist troops withdraw to Formosa, we will protect them on Formosa.

Our military authorities, although they point out it will be more difficult to do, say the defense of Formosa and the Pescadores nevertheless can be consummated without possessing the Quemoys and the Matsus. The American people should be on guard against the representation of some of those who are urging that we defend the Quemoy and Matsu Islands to the effect that maintaining control of those islands by the United States is absolutely essential to the defense of Formosa and the Pescadores. Such a representation is not true. On the other hand, if we refuse to undertake the defense of the Quemoys and the Matsus we ruin and puncture the balloon of one of the Communist propaganda devices, namely, that we are trying to hold the Quemoys and the Matsus as stepping stones to the mainland of China. Let us make clear to the world that we have no intention of stepping onto the mainland of China unless China makes war against us. Let us make that perfectly clear.

I believe that is another one of the indirect accomplishments which would result from the adoption of the Humphrey resolution. I believe the greatest hope for preserving peace in the days immediately ahead—and now it is touch and go, and nip and tuck—is to make perfectly clear, affirmatively and directly, not negatively or indirectly, that we are calling upon the United Nations and that it is the sense of this Government that we call on it to take jurisdiction over the Formosan issue.

The last point I wish to make, before yielding to the Senator from South Dakota or yielding the floor, is that there is no justification for the fears of those who say they will not vote for the

Humphrey resolution without amendments, which would really destroy its spirit and intent.

What are some of those fears? One of them is that the United Nations will lay down a rule that Red China must be admitted to the United Nations. I do not believe it. I believe that our international lawyers can build up an unanswerable case to show that Red China does not have a single just claim for admission to the United Nations at this time.

She has no right to admission to the United Nations so long as she continues to violate her agreements over Korea. She has violated them in instances the recital of which would require a long time. She has no right to admission to the United Nations so long as she keeps imprisoned, without legal justification, in Communist jails Americans and citizens of other free nations. She has no right to admission to the United Nations until she demonstrates by record that she can be relied upon to keep her international commitments. She has no right to be admitted into the United Nations so long as she keeps the Iron Curtain dropped and continues by threats and propaganda and intrigue and subversion and espionage to undermine free institutions and the free governments in many of the free lands of the world.

Nor do I think there is any basis for the fear that if we adopt the Humphrey resolution we shall invite the United Nations to render some decision which would take from Formosa the protection of the United Nations, because, in my opinion, with our power in the Pacific and our vital interests in the Pacific, it is important for as many years as it is going to take to settle the issue on a juridical basis that we protect Formosa physically, through the United Nations, from domination and control by Red China.

That is my position on that point, Mr. President, and I see not one word in the Humphrey resolution that would indicate that the United Nations would hand down a decision such as some of our colleagues fear would be handed down.

Mr. President, I come now to the question which is supposed to put me under the desk, if I listen to some of my colleagues. Suppose the United Nations should hand down a decision contrary to the arguments and pleas we make in presenting our side of the Formosa issue? My answer is that if we have made the best case we can make, if we have argued our point of view, and the United Nations does not agree with us in all or some respects then at that point I would say it would be a historic mistake for our country to go it alone. It would be a historic mistake for our Government to establish the precedent that if we did not like the decision, we would go it alone, because we would throw back, I think for centuries, the goal which is the ideal of America, the goal of permanent peace based upon a system of international justice through law.

As a nation and as individuals we have to learn that when a court of last resort rules against us we must take the law handed down by the court. I pray for the future of mankind if the United States, the most powerful Nation in the world, should ever take the position that because of our power and because of our present military might, we would go ahead with strong-arm methods and override the United Nations if it should hand down a decision against us. I pray my country will never resort to the jungle law of force. That is why, with a sincerity as deep as is that of the Senator from South Dakota—and I know of no man in the Senate more sincere or more devoted to the convictions of his conscience than is the Senator from South Dakota—I think the Humphrey resolution would be the most effective "atomic bomb" for peace that could be dropped on the world today. It would be clear proof that the legislative body of this Government, and the President, who, in his message, I submit, to all intents and purposes, has endorsed the spirit of this resolution, are looking to the juridical processes of the United Nations to settle the issue of peace or war in the Pacific.

I now yield for a question, or I shall be glad to yield the floor.

Mr. CASE of South Dakota. Mr. President, I deeply respect the sincerity of the Senator from Oregon, not only in this, but in other matters, and I respect the urge which drove him to make the statement which he has made. But there is one very great difference between the position of the senior Senator from Oregon and my position at this point. We both welcome action by the United Nations, but the Senator from Oregon stated that he would like to determine whether there was any dissent in the Senate to having action taken by the United Nations. He is interested in determining how many dissenters there are.

Mr. President, if there be dissent in the Senate over the point which was implicit in responding to the President's proposal that the United Nations take action, or that we rely upon the action of the United Nations, I am not interested in determining the number of dissenters. I would not, Mr. President, by any single word of mine today, weaken in any respect the responsibility which rests upon the Government of the United States to welcome action by the United Nations. I do not see how we can avoid in any way the fact that in this proposal the President did say that he would welcome the assumption of such jurisdiction by that body. Let me again quote a few words from the President's message:

> We believe that the situation is one for appropriate action of the United Nations under its charter for the purpose of ending the present hostilities in that area. We would welcome the assumption of such jurisdiction by that body.

That was a clear-cut statement by the President of the United States of the premises upon which the resolution was being submitted to the Congress. I think it would have been weakened had we put a "whereas" clause into the resolution. That is why I did not favor that course of action being followed, I thought it would imply in some way that we were weakening the resolution, or that we did not take at face value the words of the President when he said we would welcome action by the United Nations, or the words of the resolution itself, in the resolving clause, the really effective part of the resolution, where in the concluding sentence recognition of the United Nations is written.

I would not want action to be taken which could be construed as weakening that position. I do not know to what extent there is any dissent from the view that the United Nations should take action or that we would welcome action by it. I did feel last Friday, when we were concluding our action, that for myself I wished to make it perfectly clear that my vote for the resolution and against amendments was bottomed upon the fact that a part of the proposal of the President was to welcome action by the United Nations and upon the clause in the resolution itself to which we have alluded so many times in the debate.

I also invite attention to the fact that in the conclusion of my remarks last Friday evening I recognized the situation which the senior Senator from Oregon has mentioned, namely, the necessity for somebody to take the initiative in securing action by the United Nations. As I thought about it, it occurred to me that it would be difficult, and it possibly would not be the best tactic, for the United States itself to take the initiative, because, whether we like it or not, to a certain extent we have become parties to the Formosa Strait issue by the presence of our troops there and by the orders given to the Seventh Fleet, and so forth, so that any solution we might propose would seem to be the solution of a party in interest. So I said this at the very conclusion of my remarks last Friday night:

> I do not think we shall solve the problem immediately before the Senate by looking at the jurisdictional questions. There is a practical situation facing us. I am hopeful that the efforts of Australia, New Zealand, and Great Britain, all three of whom, I understand, are endeavoring to induce the United Nations to endeavor to obtain a cease-fire, will be successful. In my opinion, someone who is not a party to the immediate issues must take the lead right now. We might propose the action to the United Nations, but we are in a delicate position. So someone who is not a party must take the lead. The initiative will have to be carried by someone else and if Australia or New Zealand or the Prime Minister of Great Britain, by their representatives, are able to initiate action, I wish them success.

I concluded with this sentence:

> I hope the expectation and the prayer of our President—

I wish to interpolate to say that I interpreted this statement to be essentially an expectation and a prayer on the part of the President—

> that some way may be found to avoid conflict may be wholly achieved, and it is in that hope that I am supporting the resolution.

So, Mr. President, while I desire, just as earnestly, I think, as does the senior Senator from Oregon, to have the United Nations take the initiative and point the way to a solution of this problem, I do not desire to have the RECORD indicate that the failure of the Committee on Foreign Relations—and I am not a

member of that committee—to report the Humphrey resolution today shades or minimizes or modifies in any respect the clear understanding which I had last Friday night in voting for the resolution which was then before the Senate. There was a clear understanding that we would welcome action by the United Nations, as the President had said; and the resolution itself provides tremendous authority to the President for unilateral action until appropriate action is taken by the United Nations to achieve the desired result.

I think also that the obligations which rest upon the members of the United Nations in the difficult situation which today exists calls upon them to attempt to work out a solution.

Personally, I welcome the statements of various public leaders in New Zealand, Australia, and Great Britain to the effect that they would attempt to have action taken by the United Nations.

I welcome also a statement by Mr. Molotov that he would transmit to Red China the suggestion that the matter be referred to the United Nations.

As the distinguished senior Senator from Georgia, the chairman of the Committee on Foreign Relations, was quoted as saying the other day, we cannot afford in these circumstances to close our ears or to close the door to any possibility of a peaceful solution of this situation. I think it is important that we try to get the issues before the United Nations.

I do not want the President to feel in any way that anything has happened to indicate any dissent in any degree whatsoever from the acceptance of his statement that we would welcome action by the United Nations.

CONSIDERATION OF NOMINATIONS

Mr. CLEMENTS. Mr. President, as the Senate is still in executive session, I ask that the nominations on the Executive Calendar be considered.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The nominations on the Executive Calendar will be stated in order.

EXPORT-IMPORT BANK OF WASHINGTON

The Chief Clerk read the nomination of Glen E. Edgerton, of the District of Columbia, to be President of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Lynn U. Stambaugh, of North Dakota, to be First Vice President of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Hawthorne Arey, of Nebraska, to be a member of the Board of Directors of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of George A. Blowers, of Florida, to be a member of the Board of Directors of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Vance Brand, of Ohio, to be a member of the Board of Directors of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. CLEMENTS. I move that the President be immediately notified of the confirmation of these nominations, and also of the ratification of the Southeast Asia Collective Defense Treaty.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

ORDER FOR ADJOURNMENT TO FRIDAY

The Senate resumed the consideration of legislative business.

Mr. CLEMENTS. Mr. President, I move that when the Senate completes its business today, it adjourn until noon on Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM FOR FRIDAY

Mr. CLEMENTS. Mr. President, I desire to announce the program for Friday.

On Friday it is proposed to have the Senate consider Calendar No. 15, Senate Resolution 49, to extend the times by which the Committee on the Judiciary may conduct studies and investigations; Calendar No. 16, Senate Resolution 13, to investigate certain problems relating to interstate and foreign commerce; Calendar No. 17, Senate Resolution 25, authorizing the employment of an additional clerical assistant by the Committee on Post Office and Civil Service; Calendar No. 18, Senate Resolution 34, authorizing the Committee on Labor and Public Welfare to employ 4 additional temporary clerical assistants; Calendar No. 21, Senate Resolution 28, extending the authority of the Committee on Armed Services for hearings and investigations; Calendar No. 22, Senate Resolution 23, to investigate problems relating to economic stabilization and mobilization; Calendar No. 23, Senate Resolution 36, extending the time for a study by the Committee on Foreign Relations of technical assistance and related programs; Calendar No. 24, Senate Resolution 37, providing additional funds for the study of strategic and critical materials by the Committee on Interior and Insular Affairs; and Calendar No. 25, Senate Resolution 39, authorizing the Committee on Interior and Insular Affairs to employ temporary additional assistants.

ADJOURNMENT TO FRIDAY

Mr. BIBLE. Mr. President, in accordance with the order previously entered, I now move that the Senate stand adjourned until Friday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Friday, February 4, 1955, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 1, 1955:

DEPARTMENT OF COMMERCE

George T. Moore, of Illinois, to be an Assistant Secretary of Commerce.

UNITED STATES MARSHAL

Curtis Clark, of Kentucky, to be United States marshal for the eastern district of Kentucky, vice John M. Moore, retired.

Lama A. DeMunbrun, of Kentucky, to be United States marshal for the western district of Kentucky, vice Loomis E. Cranor, retired.

IN THE AIR FORCE

The following-named persons for reappointment to the active list of the Regular Air Force, in the grades indicated, from the temporary disability retired list, under the provisions of section 407, Public Law 351, 81st Congress (Career Compensation Act of 1949):

To be major

Robert Crawford, 10333A.

To be captain

Leota H. Clark, 21095W.

The following-named persons for appointment in the Regular Air Force, in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); title II, Public Law 365, 80th Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, 82d Congress (Air Force Organization Act of 1951), with a view to designation for the performance of duties as indicated:

To be majors, USAF (Medical)

David W. Davis, AO521575.
James T. Hardy, AO2260447.
Leon A. Knight, AO2260147.

To be captains, USAF (Medical)

Edgar N. Gipson, AO1906336.
Clarence Langerak, AO727227.
Donald J. Largo, AO2240757.
John C. Wells, Jr., AO1906320.

To be captains, USAF (Dental)

Vance L. Crouse, AO862546.
Robert W. Hayes, AO1906508.
Edward Jones, O61078.
Julius G. R. Staerkel, AO1907285.

To be first lieutenants, USAF (Medical)

John A. Barrett, Jr., AO3000121.
Robert R. Burwell, AO2260645.
Richard L. Butler, O1939081.
Laully J. Credeur, O1940138.
Walter A. Fairfax, Jr.
Billye G. Gant, AO694665.
Theodore J. Haywood.
James M. Lancaster, Sr., AO2260204.
Victor J. Lash.
Michael J. Maffei.
Joseph A. Murney, AO939124.
Howard M. Pollack, AO3001185.
Russell E. Randall, Jr., AO2261683.
James P. Taylor.
Robert Van Hoek.

To be first lieutenants, USAF (Dental)

Sam R. Adkisson, AO1906549.
Jack E. Troutt, O985900.

To be first lieutenant, USAF (Medical Service)

Frank M. Isbell, AO2239819.

The following-named persons for appointment in the Regular Air Force in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947), and section 307 (b), Public Law 150, 82d Congress (Air Force Organization

Act of 1951), with a view to designation for the performance of duties as indicated:

To be captain, USAF (Judge Advocate)

Walter L. Lewis, AO2069057.

To be first lieutenants, USAF (Judge Advocate)

William E. Cordingly, AO2217187.
James S. Haught, AO2216194.
Colonel S. Ray, Jr., AO1864887.

To be first lieutenants, USAF (Chaplain)

Curtis M. Bean, AO2249234.
John B. Schoning, AO2253278.

The following-named persons for appointment in the Regular Air Force, in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947):

To be first lieutenants

Robert K. Ace, AO1854892.
Eugene W. Ainsworth, Jr., AO1912134.
Leon W. Amos, AO2075831.
John E. Anderson, AO591615.
Robert S. Anderson, AO1910361.
Tom M. Arnold, Jr., AO1856879.
Oliver P. Arquilla, AO1908489.
Marcus L. Arwine, AO2219105.
William E. Augsburger, AO1912199.
Frank D. Baker, AO1911955.
William C. Barnes, AO2222163.
William E. Barnes, AO1905286.
Ben A. Barone, AO1909822.
Carl A. Barr, AO2060453.
Frank J. Bath, Jr., AO1911337.
Robert W. Bazley, AO2086462.
Billingsley Beatie, AO1860763.
Joseph P. Beaulieu, Jr., AO1911465.
William R. Benbow, AO1865021.
Joseph C. Biscone, Jr., AO2101967.
Leon A. Blackmon, AO1856660.
Charles E. Blair, AO2025062.
Morton C. Blaisdell, AO773998.
Hugh S. Bowden, AO1910306.
Donald J. Bowen, AO1907660.
Wallace R. Boyer, AO2233302.
William R. Brazill, AO946543.
James E. Briggs, AO2219138.
Thomas R. Brock, AO2070611.
Robert O. Brockman, AO687671.
William D. Brockmeyer, AO2231702.
Gerald Brown, AO770160.
James T. Brumbeloe, AO2230634.
Deane B. Bruning, AO1903056.
James C. Buckner, AO710812.
Herbert Bunker, Jr., AO1908886.
Paul H. Bynum, AO2234690.
Milton M. Byron, AO1910454.
Billy J. Carter, AO2077727.
Robert W. Casey, AO2075844.
Chester E. Chellman, Jr., AO2222199.
John P. Cherney, AO941826.
William L. Childers, AO842598.
Harrison B. Clancey, Jr., AO930388.
Eubert W. Clark, AO820225.
Stanley S. Clark, AO1911081.
Jack D. Clement, AO1907653.
John S. Coady, Jr., AO2222111.
Ray B. Coffman, AO1849089.
Alan Coville, AO2222138.
Robert W. Cowne, AO2219170.
Myron K. Cox, AO2218647.
John C. Crocker, AO2228600.
Thomas M. Dailey, AO2077218.
David E. Davenport, AO2089360.
John G. Davis, AO939545.
George A. Day, AO2083856.
Robert E. L. Day, AO1853802.
Harry C. DeLaney, Jr., AO1909028.
Peter E. Dempsey, AO2086796.
Robert B. Doggett, AO1860742.
Carl E. Donahue, AO2234569.
Robert F. Donohue, AO2068973.
Thornton T. Doss, AO2216521.
Charles R. Dougherty, AO784311.
Flavious F. Drake, AO815544.
Kenneth E. Druckenbrodt, AO823819.
Obadiah A. Dugan, AO2094177.
Charles M. Dunn, Jr., AO1853609.
James D. Duval, Jr., AO2074678.
Loren S. Eastman, Jr., AO944941.
Warren B. Eaton, AO776256.
John A. Eckweiler, AO1911915.
Jerome J. Eichhorn, AO1863689.
Roscoe F. Epperson, AO1909732.
Charles E. Evans, Jr., AO2075156.
Clyde G. Evans, AO2221835.
Howard R. Eyer, AO2100374.
J. Logan Fagner, AO1909472.
Clifford L. Fenell, Jr., AO1849343.
Victor G. Fisher, AO788752.
Francis P. Fitzgerald, AO737756.
Eugene C. Fletcher, AO2215097.
Myron D. Forbes, AO837917.
Jack B. Ford, AO1857904.
Hugh B. Foster, AO1848094.
Robert E. Foster, AO2231510.
Norman C. Gaddis, AO788180.
Laurence F. Gardner, AO1862954.
Henry L. Gibbs, AO678023.
Daniel C. Gilmore, AO2222726.
James M. Glassmeyer, AO1910590.
James E. Gore, AO2219209.
Harold L. Griffith, AO1848067.
Joseph M. Griffin, AO2232729.
Truman L. Griswold, AO826943.
Marvin E. Grunzke, AO590540.
Cipriano F. Guerra, Jr., AO968486.
Frank S. Guzak, AO829683.
William J. Hagan, AO2222437.
Carl F. Hale, Jr., AO888814.
Harold T. Hamilton, AO1905045.
Robert G. Hamilton, AO2023071.
Earle S. Hamley, AO1861479.
Theodore J. Hammer, AO787497.
Donald A. Haney, AO1910872.
Donald C. Hanto, AO1861171.
Warren J. Hare, AO671535.
Roger D. Harrington, AO1847028.
Thomas P. Harrison, AO2076634.
Warren G. Haugen, AO842031.
Frank J. Heffernan, AO937676.
Lexie E. Herrin, AO2088062.
John S. Hines, AO2219231.
Franklin J. Hitt, AO591358.
Robert D. Hoffman, AO1850735.
Robert W. Hoffman, AO2099469.
Ralph S. Hoggatt, AO778472.
Wallace G. Holder, AO1909986.
Edgar A. Holmes, AO2083902.
Victor H. Hopple, AO2095414.
Charles E. Horton, AO2076303.
David F. Howard, AO2222006.
Robert V. Hudgens, AO2222233.
Walter W. Hudkins, AO2081083.
Lawrence R. Hulsey, AO710701.
Thomas R. Humphrey, AO1910889.
John D. Hungerford, AO1909987.
William J. Huxley, AO1909162.
Ronald L. Ingraham, AO1862999.
John E. Jarrell, AO2076641.
Charles B. Jiggetts, AO1904809.
Frank M. Joachim, AO2222518.
George W. Johnson, Jr. AO1865876.
James W. Johnson Jr., AO824495.
Lloyd F. Johnson, AO941087.
Bruce D. Jones, AO1911103.
John E. Jones, AO1853221.
Donald A. Kaehlert, AO2235072.
Dudley G. Kavanaugh, AO2066676.
Elwood A. Kees, Jr., AO1909491.
Frank O. Keller, AO1910983.
Walter R. Keller, AO2222550.
Burton M. Kellogg, AO1909325.
John L. Kelly II, AO1909326.
William L. Kieffer, Jr., AO838266.
Robert C. Kimble, AO838331.
Roy W. King, AO830245.
William E. Kinnikin, AO1849906.
Grady E. Kitchens, AO1911855.
Edward Klosterman, AO1696883.
Robert L. Kollman, Jr., AO2069553.
Herman L. Knapp, AO2233425.
Clarence S. Kuritzky, AO1908559.
Myron L. Kuzma, AO2022851.
Edward M. Ladou, AO1908691.
Norman C. Lamb, AO770316.
William H. Landers, Jr., AO1909073.
Glen Lingenfelter, AO1853949.
Barton C. Libby, AO705977.
Horace G. Linscomb, Jr., AO1909614.
George J. Liotis, AO748613.
Patrick G. Long, AO2217101.
James G. MacAlpine, Jr., AO2218175.
Richard C. Malot, AO2222388.
Paul D. Marks, AO2072830.
Shirrel G. Martin, AO1909342.
Horace W. Martineau, AO2222447.
Robert J. Massoni, AO782771.
William H. Matthews, Jr., AO774239.
Eugene E. McClurg, AO937836.
Thomas G. McConnell, AO2218104.
Richard D. McCreary, AO2231766.
Gene S. McElroy, AO2222053.
Ivan L. McGuire, AO820294.
Frank B. McKenzie, AO1857122.
Donald D. McLaren, AO824527.
Harold J. McLoud, Jr., AO2222263.
Allie E. McMullian, Jr., AO1848430.
Charles C. Mercer, AO2057359.
Charles E. Messerli, AO1909086.
James W. Miller, AO1909182.
Richard O. Miller, AO2082629.
Charles F. Minter, AO2090143.
Darrell J. Misgen, AO1858438.
Glenn L. Mitchell, AO1903984.
Ronald B. Montague, AO2233027.
Eugene E. Moody, AO1865470.
James L. Morton, AO2216243.
George A. Mursch, AO824541.
Milton E. Nelson, AO836328.
Charles A. Neuendorf, AO1911673.
Charles A. Neyhart, AO828028.
Tom H. Nichols, AO1854612.
Richard D. Noe, AO2228868.
Warren M. Odenthal, AO722873.
Norman E. Oram, AO2065607.
Stephen W. Pahs, AO1895954.
Wilson V. Palmore, AO839886.
Robert L. Parks, AO2024963.
Robert E. Parnelle, Jr., AO2081550.
Michael J. Paroby, AO2222398.
Edward C. Patterson, AO590222.
Leon Perekslis, AO1904857.
Melvin F. Petermann, AO833041.
Carl D. Peterson, AO767628.
Frank H. Pettway, AO2218758.
Delphin J. Pichon, AO1848480.
David W. Pinkerton, AO2065418.
Stanley Polezoes, AO706240.
Elliott W. Porter, AO779215.
Eugene R. Porter, AO1692749.
Freddie L. Poston, AO2085716.
Joseph M. Potts, AO1903248.
Mitchell A. Putt, AO2222401.
John L. Quann, AO2215161.
James B. Ramsey, AO1911440.
Robinson Risner, AO779602.
Harry F. Rizzo, AO2219012.
John R. Rogers, AO2218342.
Gene F. Rogge, AO2222017.
Robert W. Roig, AO1852356.
Rudolph F. Rose, Jr., AO2086298.
Elisha P. Sanders, AO2217133.
James L. Savage, AO2063101.
Richard O. Savoye, AO2231855.
Eugene D. Scott, AO1911514.
James K. Secrest, AO938352.
Norman G. Sexton, AO1911127.
John R. Sheekley, AO2232569.
Kenneth D. Sill, AO1909219.
Leslie K. Skews, AO2088000.
Warren L. Slagle, AO773839.
Donald A. Slezak, AO2222101.
Gerald E. Smallwood, AO1862424.
Kennard R. Smiley, AO1862514.
Click D. Smith, Jr., AO1863521.
Norman L. Smith, AO1863368.
Henry G. Snider, AO1862659.
Joseph Q. Spell, AO1911281.
Sidney M. Spilseth, AO1911947.
Glenn F. Stauffer, AO1861392.
Joseph N. Steingasser, AO1862660.
Henry L. Stevens, Jr., AO2232236.
Maurice R. St. George, AO785913.
Frank A. Stickney, AO2218187.
James S. Stimson, AO1904118.
Charles J. Stumpf, AO2222409.
Walter Suhar, AO926700.
Joseph V. Sullivan, AO1851774.
LeRoy W. Svendsen, Jr., AO1908601.
Kenneth C. Swisher, AO2083042.
Robert W. Taylor, AO2094399.

John D. Thompson, AO785145.
Richard J. Threlkeld, AO1904663.
Myron L. Tone, AO2092971.
Raphael O. Tuten, Jr., AO1851182.
Alvin Twitchell, AO2101948.
Lawrence D. Underwood, AO698056.
William L. VanMeter, AO815602.
Donald Vechik, AO2231675.
Paul W. VonWiedenfield, AO1908974.
Wilmer C. Walters, Jr., AO2233906.
Everett H. Webster, AO1859924.
Keith W. West, AO2216683.
William A. Weston, Jr., AO788618.
William C. Whicher, AO2216787.
Charles W. Wilkie, AO2072935.
Paul K. Wilkinson, AO2221709.
Garry A. Willard, Jr., AO1909791.
Robert E. Williams, AO780352.
Clayton A. Wilson III, AO2219405.
James L. Wilson, AO1910447.
James W. Witherspoon, Jr., AO2222655.
Joe E. Woelke, AO1910354.
John A. Wollmers, AO1911461.
Stanley C. Wood, AO2216771.
Edward Wootten, AO828867.
Paul R. Zavitz, AO2261921.

To be second lieutenants

Charles E. Adams, AO2226529.
Robert H. Allen, AO2228014.
Donald T. Anderson, AO2224185.
Carl G. Baily, AO2236808.
James R. Bennett, AO3021837.
Joseph A. Berthelot, AO3009213.
Chester A. Beverly, Jr., AO2220041.
Ronald A. Bird, AO2224815.
David E. Blais, AO2234466.
Albert S. Borchik, Jr., AO2226756.
Richard C. Brumfield, AO2247678.
Voris R. Burch, Jr., AO2244768.
Kelly H. Burke, Jr., AO2244761.
Curtis M. Burns, AO2244606.
John A. Caddell, AO2245267.
William E. Campbell, AO2244610.
Wayne E. Cantrell, AO2236539.
Donald G. Carpenter, AO1852454.
James H. Cash, AO2244928.
Marion F. Chamblee, AO2224323.
Albert E. Chapman, Jr., AO2224546.
Norman J. Clark, AO2249997.
Charles R. Coble, Jr., AO2260230.
Carl K. Coffman, AO2235551.
Paul T. Comeau, AO2250856.
Lawrence Y. Conaway, AO2247685.
Robert F. Coverdale, AO2246849.
James W. Culp, AO2245107.
Brice C. Custer, AO2227831.
Owen C. Davis, Jr., AO3005871.
John W. Dawson, AO2225822.
Donald A. Dees, AO2244698.
Kenneth P. DeMent, AO2229380.
Edgar H. Denk, Jr., AO2225285.
Howell A. Dennis, AO2247070.
Ralph C. Dresser, AO2244642.
Donald B. Fincher, AO3021871.
Robert A. Franklin, AO2224438.
Mark D. Gale, AO2237982.
Thomas G. Gargiulo, AO2226452.
Lawrence D. Garrison, AO2226303.
Robert C. Geiss, AO2224635.
Frank E. Gilk, AO2251211.
Richard J. Gipple, AO1851175.
Victor B. Goodrich, Jr., AO2252642.
Thomas L. Graham, AO1853614.
Horace R. Grant, AO3005194.
Arthur G. Greif, Jr., AO1865040.
John Hansen, AO2230422.
James W. Harrison, Jr., AO2246236.
James T. Harwood, AO3021960.
Ernest J. Herzwurm, AO2235091.
Joe E. Howard, AO2224932.
Franz W. Imker, AO1860704.
Allyn C. Johnson, AO3006358.
Donald C. Johnson, AO2224564.
Gordon J. Johnson, AO2225410.
Julian C. Johnson, Jr., AO2230273.
Eldon L. Keebaugh, AO2247094.
Joseph C. Kent, AO2227180.
Melbourne Kimsey, AO3009865
Douglas A. Kraus, AO2246299.
Robert W. Kunstel, AO2226853.
Joseph K. Lambert, A2249023.
Robert G. Lapham, AO2227472.
Melvin M. LaVail, AO2251184.
Jerry W. Lawson, AO2227770.
Edwin A. Liddell, AO3004554.
Rudolph L. Magnane, AO2220679.
Peter A. Marinelli, AO2246656.
Billy J. McNair, AO2227717.
Frank F. Mead III, AO2228332.
Brian G. Moore, AO2249612.
William A. Murphy, AO3005531.
Charles H. Neale, AO2226063.
Frederick C. Obarr, AO2246257.
Kenneth D. Ohman, AO2236968.
Henry R. Parnell, Jr., AO3005027.
Beverly S. Parrish, Jr., AO3014605.
William M. Penney, AO2253141.
Harold G. Pierce, AO2227022.
Lucian W. Pinckney, AO2227558.
Paul J. Plucinsky, AO2225492.
Thomas D. Portanova, AO2225629.
John C. Poston, AO3005422.
William E. Rains, AO2230515.
Raymond V. Reyes, Jr., AO2229611.
Noel R. Reynolds, AO2228196.
James H. Rigney, Jr., AO3022145.
Robert D. Ringle, AO2245056.
Kenneth E. Robins, AO2229518.
John S. Roosma, Jr., AO3004962.
Robert W. Ruffin, AO2225808.
Herman E. Schumacher, AO3007136.
Wilburn R. Schrank, AO2236132.
John K. Schroeder, Jr., AO2247979.
Douglas M. Schwartz, AO2249327.
Maurice E. Seaver, Jr., AO2225883.
Lowell E. Shearer, AO2224255.
David W. Stahl, AO2246971.
Robert T. Slater, AO2225217.
Fendrick J. Smith, Jr., AO2224256.
Herman C. Stafford, Jr., AO2245730.
Richard C. Stanley, AO2229913.
Marvin A. Starn, AO3005930.
James F. Stech, AO3004542.
Elmer L. Strom, AO2100967.
Michael E. Styer, AO3004648.
Richard L. Sullivan, AO2235303.
Harry K. Taylor, AO2219977.
Thomas H. Thompson, AO3006517.
Jack E. Tullett, AO3005579.
William T. Twinting, AO2227748.
Vern F. VanBuskirk, AO3006630.
Dean A. Wadsworth, AO3005207.
Chester A. Walborn, AO2227932.
James C. Webb, AO2237480.
James H. Webber, AO3021547.
William R. White, AO3007216.
Conrad I. Williams, AO2225275.
William J. Wilson, AO2247871.
William E. Winemiller, AO2254823.
Edward D. Young, AO2233713.

The following-named persons for appointment in the Regular Air Force, in the grades indicated with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); and section 301, Public Law 625, 80th Congress (Women's Armed Services Integration Act of 1948):

To be first lieutenant

Juanita D. Schiltz, AL2236010.

To be second lieutenants

Mina P. Costin, AL2238160.
Mary L. Crosby, AL2220096.
Jessie J. Heney, AL2220596.

CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, February 1, 1955:

EXPORT-IMPORT BANK OF WASHINGTON

TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF WASHINGTON

Glen E. Edgerton, of the District of Columbia.

TO BE FIRST VICE PRESIDENT OF THE EXPORT-IMPORT BANK OF WASHINGTON

Lynn U. Stambaugh, of North Dakota.

TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF WASHINGTON

Hawthorne Arey, of Nebraska.
George A. Blowers, of Florida.
Vance Brand, of Ohio.

EXTENSIONS OF REMARKS

Representative Willis W. Bradley: Naval Officer, Scholar, and Statesman

EXTENSION OF REMARKS
OF
HON. THOMAS E. MARTIN
OF IOWA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 1, 1955

Mr. MARTIN of Iowa. Mr. President, during the 80th Congress, of which I was a Member of the House, I had the great privilege of knowing well one of its most distinguished Members—the late Representative Willis W. Bradley, of California.

Qualified by a lifetime of experience as a line officer of the United States Navy, Captain Bradley, after his election to the Congress, rapidly became a respected leader in matters affecting national defense, the merchant marine, and the Panama Canal. So far as the latter was concerned, he was a discriminating student and a vigorous exponent of congressional thinking about Isthmian Canal policy.

As the best means for resolving the many sided canal issue in the broadest interests of the United States, he introduced a measure for the creation of an Interoceanic Canal Commission—H. R. 4833, 80th Congress—which served as the model for like bills introduced in later congresses.

Representative Bradley's views on the vitally important canal question are preserved in two notable presentations, which I studied. The first was delivered on April 19, 1948, before the distinguished membership of the Cosmos Club of Washington, D. C., on the subject What of the Panama Canal?—CONGRESSIONAL RECORD, 80th Congress, 2d session, volume 94, part 10, April 21, 1948, page A2449. The second was on February 24, 1949, before the Engineers' Club of Washington, D. C., on the subject The Whys of the Panama Canal—CONGRESSIONAL RECORD, 81st Congress, 1st session, volume 95, part 12, March 4, 1949, page A1303.

These two statements by Representative Bradley are undoubtedly among